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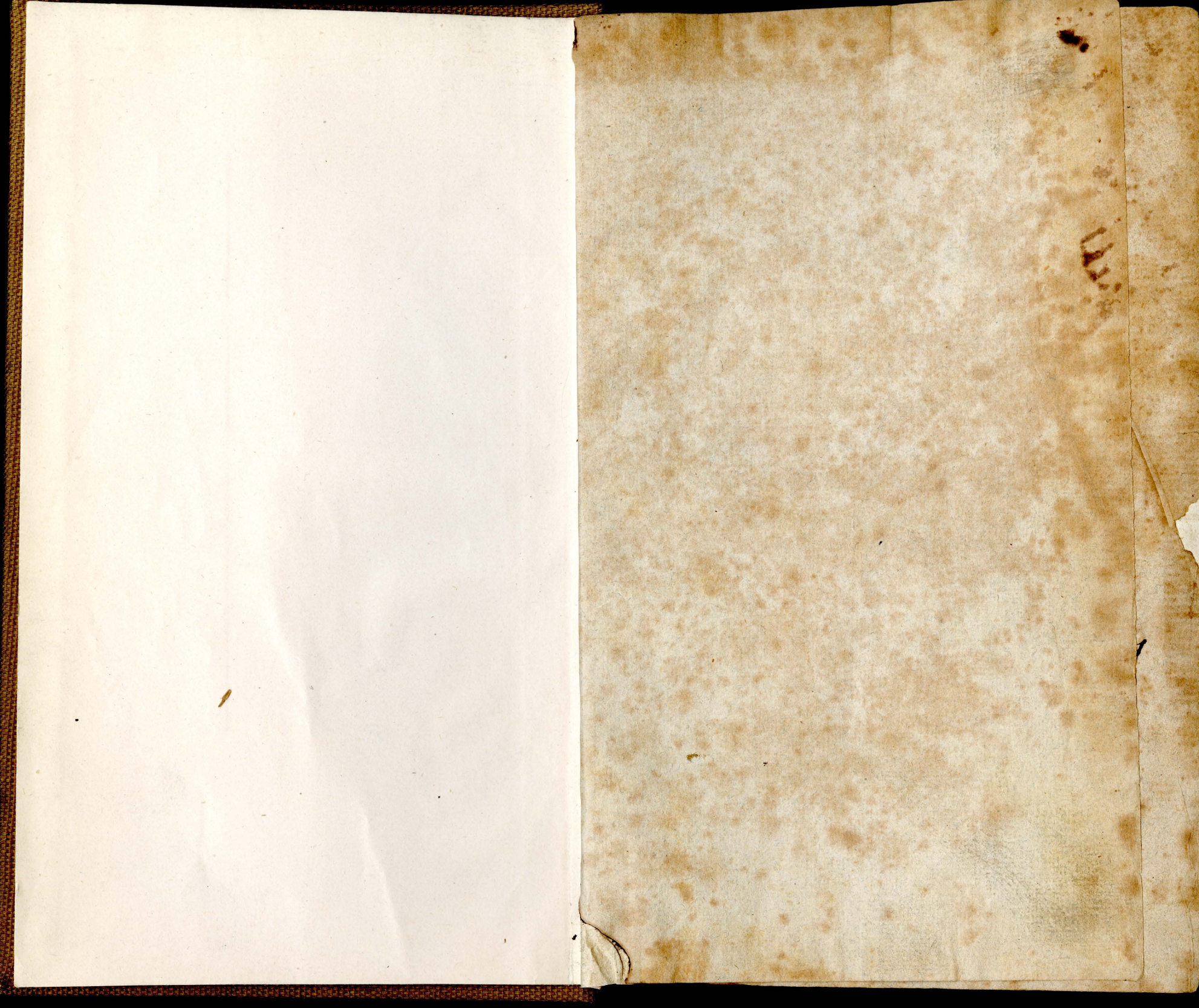
Class Number

26467



April 1, 1895.

Wm. R. Burdett, Lith. Ind.



JOURNAL
OF THE
SENATE

OF THE
STATE OF INDIANA;
BEING THE
SIXTH SESSION

OF THE
GENERAL ASSEMBLY,

*Begun and Held at Corydon, in said State, on
Monday the nineteenth day of November,*

1821.

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JOURNAL OF THE SENATE

AT THE SIXTH MEETING

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF INDIANA,

Conformably to a proclamation issued by his
Excellency Jonathan Jennings, Governor of said
State, commenced this day at the State House in
Corydon; and the senate assembled.

Monday, November 19, 1821.

PRESENT,

From the Counties of Clark and Floyd—the Honorable
Joseph Bartholomew.

From the counties of Orange, Lawrence and Monroe—
the Honorable *James Gregory.*

From the counties of Gibson and Pike—the Honorable
Richard Daniel.

From the county of Dearborn—the Honorable *John Gray.*

From the counties of Switzerland and Ripley—the Hon-
orable *William Cotton.*

From Franklin — Mr B Laughlin p 63

From Fayette & Union — John Conner "

From Wayne — Patrick Blair p 83

From Spencer — Daniel Graft p 89

Perry Dubois Pt of Marshall

His Honor *Ralliff Boone*, President of the Senate and Lieut. Gov. resumed the Chair.

The following gentlemen, elected Senators since the last session of the General Assembly, appeared, produced their credentials, and were sworn as Senators by the Honorable *Davis Floyd*, viz.

From the counties of Knox, Daviess, and Martin--the Honorable *Frederick Sholtz*.

From the counties of Sullivan, Vigo, Green, Owen and Pike--the Honorable *Thomas H. Blake*.

From the counties of Jefferson and Jennings--the Honorable *Brooke Bennett*.

From the county of Washington--the Honorable *Marston G. Clark*.

From the counties of Harrison and Crawford--the Honorable *James B. Slaughter*.

From the counties of Warrick, Vanderburgh and Posey--the Honorable *Elisha Harrison*.

From the counties of Jackson, Scott and Bartholomew--the Honorable *William Graham*.

Ordered, That the credentials of the said last named Senators be referred to the Committee on Elections.

The Senate proceeded to the election of a Secretary, when on counting the votes it appeared that *James Morrison* was elected Secretary, who was duly sworn in and took his seat as such.

The Senate then proceeded to the election of a door-keeper, when it appeared that *Henry Batman* was duly elected, who thereupon appeared and was sworn in as door keeper.

The Senate then proceeded to the election of an assistant Secretary, when it appeared that *Robert A. New* was duly elected to that office.

On motion by Mr. Slaughter--

Resolved, That a committee be appointed to inform the House of Representatives that the Senate have met, formed a quorum, have elected *James Morrison*, Secretary, *Robert A. New*, Assistant Secretary, and *Henry Batman*, door-keeper, and are now ready to proceed to Legislative business.

Ordered, That Mr. Slaughter inform the House of Representatives accordingly.

On motion by Mr. Harrison--

Resolved, That the standing rules and regulations for the government of the Senate of the last session, be adopted for the government of the Senate at their present session.

On motion--

The Senate adjourned until this afternoon at 3 o'clock.

Monday after-noon, 3 o'clock.

Senate assembled pursuant to adjournment.

A message from the House of Representatives, by Mr. Thornton, their Assistant Clerk:

Mr. President—I am instructed by the House of Representatives to inform the Senate that the House of Representatives have formed a quorum, and have elected *Samuel Milroy* their Speaker, *John F. Ross* their Principal Clerk, *Henry P. Thornton* their Assistant Clerk, and *John Moore* door-keeper, and are now ready to proceed to Legislative business:

And he withdrew.

A message from the House, by Mr. Johnston, of Knox, a member:

Mr. President--

I am instructed to inform the Senate that the House of Representatives have adopted the joint rules and regulations of the last session as the joint rules and regulations of the present General Assembly:

And he withdrew.

On motion by Mr. Slaughter,

Resolved, That the joint rules and regulations of the last General Assembly be adopted as the joint rules of the present session, and that the House of Representatives be informed thereof.

Ordered, That Mr. Slaughter inform the House of Representatives thereof.

On motion by Mr. Harrison,

Resolved, That a committee be appointed by the Senate, to act with such committee as may be appointed on the part of the House of Representatives, to wait on His Excellency the Governor, and inform him that both houses of the General Assembly have met, formed a quorum, and are now ready to receive any communications which he may be pleased to make, and to learn at what time and place he will make said communications, and that the House of Representatives be informed thereof, and a similar on their part requested. Whereupon Messrs. Harrison and Bennett are appointed a committee on the part of the Senate.

Ordered, That Mr. Harrison inform the House of Representatives.

Ordered, That Messrs. Cotton, Bartholomew and Gray, be appointed a committee on elections.

Ordered, That Messrs. Blake and Daniel be appointed a committee on the judiciary.

Ordered, That Messrs. Clark and Slaughter be appointed a committee of ways and means.

A message from the House, by Mr. Tipton, a member:

Mr. President

I am instructed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved, That a committee be appointed to act with a similar committee on the part of the senate, to wait on His Excellency the Governor, and inform him that a quorum of both houses have met and elected their officers, and are now ready to receive any communications he may be pleased to make to them, and that they have appointed Messrs. Tipton and Ferris a committee on their part.

On motion by Mr. Clark--

Resolved, That a committee be appointed to examine and report the unfinished business of the last session. Whereupon Messrs. Clark, Gregory, Graham and Sholtz were appointed that committee.

On motion by Mr. Daniel--

Resolved, That the committee of ways and means be instructed to procure for the use of the Senate, at as early a period as possible, stationary, ink, &c.

Mr. Blake asked for and obtained leave to bring in a joint resolution on the subject of Education, which was read the first and second times by consent, and,

On motion by Mr. Graham--

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for tomorrow.

Mr. Harrison, from the joint committee appointed to wait on his Excellency the Governor, and learn what time he would communicate to the General Assembly, reported that the committee had performed that duty, and had received for answer, that his Excellency would make a communication to both houses of the General Assembly, in the Representative chamber, on to-morrow at 11 o'clock A. M.

On motion,

The Senate adjourned until to-morrow morning at ten o'clock.

Tuesday morning, Nov. 20, 1821.

The Senate assembled pursuant to adjournment.

Mr. Clark, from the committee appointed to enquire into and report the unfinished business of the last General Assembly, now reported:

"The engrossed bill repealing part of an act supplemental to an act for opening and repairing public roads and highways," which was postponed till the first Monday in December next, and "The impeachment of Curtis Gilbert, clerk of Vigo county.

On motion by Mr. Harrison,

Resolved, That the President now proceed to the appointment of the following standing committees, to wit:

- A committee on military affairs,
- A committee on roads and highways,
- A committee on enrolled bills,
- And a committee on education.

Whereupon, Messrs. Harrison, Clark, Bartholomew, Blake and Sholtz, were appointed a committee on military affairs;

Messrs. Gregory, Daniel and Gray, were appointed a committee on roads and highways;

Messrs. Blake and Graham were appointed a committee for enrolled bills; And

Messrs. Slaughter, Sholtz, Bennett and Blake, were appointed a committee on education.

On motion by Mr. Blake—

Resolved, That the House of Representatives be informed that the Senate is about to adopt preliminary measures for the trial of Curtis Gilbert, Esquire, on impeachment, and that the Senate is desirous of knowing if the House of Representatives have made the proper selection to manage the said prosecution, and are now ready fully to prosecute the same.

Ordered, That Mr. Graham inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Danbar, a member.

Mr. President—

I am instructed by the House of Representatives, to inform the Senate that the House of Representatives have adopted the following resolution, to wit:

Resolved, That the seats at the right hand of the Speaker's chair be assigned to the Senate while his Excellency the Governor makes his communication, and that the Senate be invited to attend immediately in the Representative chamber, to receive the same,

And he withdrew.

A message from the House of Representatives by Mr. Powell, a member.

Mr. President—

I am instructed to inform the Senate that the House of Representatives have adopted the following resolution :

Resolved. That a committee be appointed on the part of this house, to act with a similar committee to be appointed on the part of the Senate, to wait on his Excellency the Governor, and inform him that both houses are now assembled in the Representative chamber, and are ready to receive the communication of his Excellency ; and that the Senate be informed thereof, and a similar committee on their part requested ; and that Messrs. Powell and Johnston, of Knox, be appointed such committee on the part of the House of Representatives.

On motion by Mr. Harrison—

Resolved. That the Senate concur in the above resolution from the House of Representatives.

Whereupon Messrs. Harrison and Blake were appointed a committee on the part of the Senate.

Ordered. That Mr. Harrison inform the House of Representatives thereof.

On motion,

The Senate then repaired to the Representative chamber, where his Excellency the Governor delivered to both houses of the General Assembly the following message in writing :

*To the Senate and
House of Representatives.*

To afford with certainty the time which may be requisite, to enable the General Assembly to make the necessary arrangements to meet the demands against the state, arising on the loans from the Vincennes Bank, induced the request for your meeting at an earlier period than usual. Twenty thousand dollars of the public debt becomes due within a limited period, together with interest on the whole debt for the present year. It is believed, that an amount competent to meet this demand, will be realized at the Treasury in the notes of the state Bank and branches ; and it will be for the representatives of the people to determine, whether the present demand upon the public faith of the state, can not be discharged in equity and good conscience, with the notes of the bank and its branches in whose favor the obligations were executed. It will be oppressive, if the state, after the paper of this institution was authorised to be collected in revenue, should be prevented by any assignment of the evidences of the existing debt, from discharging at least so much of that debt with the paper of the bank, as will absorb the collections of the present year ; especially, when their notes after being made receivable by the agents of the state, became greatly depreciated by great mismanagement on the part of the bank itself. It ought not to be expected that a public loss to the state should be avoided, by resorting to any measures which would not comport with correct views of public justice ; nor should it be anticipated that the treasury of the United States, would ultimately adopt measures to secure an uncertain debt, which would interfere with arrangements calculated to adjust the demand against the state, without producing any additional embarrassment. If an assignment has been made of the bonds executed in behalf of the state, and those bonds had become due, it would have presented a very different view of the subject. The description of funds, in which the revenue of the present year, as well as arrearages of past years, was chiefly collected and collecting when the assignment is said to have been made, was well known to those who may have

authorised the measure; and it is presumed that the treasury department or its agent would have become acquainted with the laws of the state on this subject, before such assignment would have been negotiated. At the time when the assignments are said to have been executed, the public agents of the state must have collected much the greater portion of the annual revenue as well as outstanding debts, in the paper of the bank; and the revenue laws are such as to require at least for state purposes, a continuation of the public collections in like funds, until different provisions shall be enacted by the legislature. A tender of those notes in a legal manner, to the bank at which payment has been promised, is respectfully recommended.

In conformity to a joint resolution adopted by the last General Assembly, an examination has been made into the situation of the state bank and branches, the details of which will attend a subsequent communication.

It is believed, that the credit of the bank paper of this state might have been sustained, so far at least, as to have secured the holders from serious loss by depreciation, had the bank been prudently managed, and the notes gradually withdrawn from circulation; as it will be acknowledged, that the greater the credit that would have given to it, had different measures been pursued by those to whom its chief management has been entrusted; so much the less would have been the public and private injury that has been experienced. Whatever disposition the principal bank may have made of the funds deposited by the United States, it must be admitted, that the connexion of interest between the Steam Mill Company and the bank, and the extraordinary accommodations, on account of the manner in which they were obtained, as well as their amount, effected by arrangements of the Steam Mill Agency and some of the officers of the bank, have been among the principal causes which have prostrated the paper circulating medium of this state, so far as it was dependent on the state bank and branches. And from the direction which for a time past has been given to the funds as well as to the credit of the state bank, it would

seem as if it had been an object, to produce a depreciation of her own credit as well as that of her branches; producing thereby among other mischievous consequences, the means of direct gain to a certain portion of the community, equal to the loss which the innocent and disinterested holder of the paper inevitably sustains.

The causes which have produced the pecuniary distress with which we are embarrassed, remain almost unchanged, except the relief afforded by the act of Congress to the purchasers of public lands. All relief measures within the control of the state authority, should be considered as temporary, and be discontinued so soon as the causes which produced them shall have been so far removed as to justify a recurrence to former regulations in relation to contracts. A period should be prescribed by law, and all contracts of a subsequent date be subjected to such legal provisions as have heretofore been usual. The want of a discrimination of this character in relation to past and future contracts, presents inducements to add to pre-existing debts, while a return to former habits of industry and economy is thereby retarded. To encourage by precept and example, the use of articles of domestic manufacture, and the introduction into families of manufacturing machinery, will prove efficient auxiliaries in removing our pecuniary difficulties, and have a tendency to secure our future independence from those sudden and extraordinary changes produced by the fluctuations of commerce, so injurious in their effects upon the moral and political happiness of nations and individuals. Different measures have been resorted to by the legislatures of different states, with a view to relieve the embarrassment of the people.— Individually acquainted as the representatives are, with the operation of the system of relief adopted in this state, as also with the particular interests and situations of their constituents, they will be fully competent in the discharge of their important duties, to adjust those interests, by the adoption of measures that may contribute to the lasting advantage of our fellow citizens. The propriety, however, of authorising creditors, under proper provisions, to require additional security on replevii bonds, is submitted to your consideration, inasmuch as the ostensible property of individuals may be

subject to prior liens. It cannot be intended that a judgment creditor is to be subjected to greater uncertainty in the ultimate collection of a legal demand, by affording to the debtor the mild means of satisfying his creditor, without sustaining a greater sacrifice than may be rendered ultimately unavoidable. Governments like individuals are imitative, and often follow without sufficient inquiry the measures which others have adopted. Many of the western states particularly, have experienced essential injury from extravagant emissions of bank paper; and notwithstanding its great depreciation, necessity or usage seems to have been sufficiently powerful to induce as a measure of relief, new emissions to supply a want of metallic medium; although the notes upon being introduced into commercial transactions have been subjected to great discounts upon their nominal value, and liable to much uncertainty in the rates of their exchange. In the general loss which has attended paper credit, the people of this state have suffered sufficiently to induce an avoidance of further experiments in banking, however specious the plan of its details, especially if they cannot be based upon specie capital.

The treasury notes authorised to be executed by an act of the last General Assembly, have been emitted from the treasury as the demands upon the state required; and of the means within the controul of the Legislature, to meet the expenditures of the ensuing year, a similar measure, limited by a certain amount, is deemed the most eligible. Such policy however will necessarily require for the future, that the revenue be collected in specie, its equivalent, or in treasury notes. Ten thousand dollars, of the denomination of one dollar each, with a re-issue of those executed, redeemable in specie or its equivalent at the expiration of one year from the date of such issue, will be adequate to meet the demands upon the treasury.

The revenue, annually to be realized, should at least equal the annual expenditures of the government, as also the interest of any portion of the public debt which may remain unliquidated; and the additional quantity of land, which must annually hereafter become subject to taxation after the

first day of December next, should be regarded, as a certain means of extinguishing the public debt.

The views of the General Assembly, in selecting individuals to draft a system, by which the resources appropriated to the purposes of education should hereafter be employed, may not for the present be entirely realized. The welfare of the state must greatly depend on the relative perfection, which shall characterise the plan, by which our future exertions are to be directed in promoting education, "ascending in regular gradation from township schools to a State University" Much labour and attention will be indispensable, to the accomplishment of an object so highly important and desirable; and every error, which shall influence our attempts on this subject, may be productive of evils not easily to be surmounted.

The construction and connexion of many of the statute laws have become so obscure, that a revision is considered important. The want of reasonable certainty of what is the law, in the discharge of relative duties whether of a public or private character, should be regarded as a public injury; while every generous effort should be exerted to render explicit, the municipal regulations by which our relative rights and wrongs are to be determined.

The increasing strength of the militia requires the publication of an additional number of copies of the act, regulating the duties required of this portion of our national defence. Resignations of militia officers have become so frequent, that no inconsiderable, though unfavourable effects are produced upon the progressive improvement in military discipline, and require, that some additional restraint be imposed in relation to such resignations, upon those who shall accept commissions. That some adequate means should be provided to secure the proper care and safe keeping of the public arms, which have been, or may hereafter be furnished, is obvious, and the squandering of those arms, which have heretofore been exhibited, should for the future be prevented. The duties which devolve upon the Adjutant General are increasing and have been much increased, and the propriety of an additional allowance to that which is at present afforded, is presented for your consideration.

Further legislative provisions will be necessary, to carry into operation, the humane purposes of the Legislature connected with

the establishment of the penitentiary ; and the situation of those, who have been engaged in erecting the building, are entitled to legislative attention.

The reclamation of John Dahmen, a fugitive from the justice of this State, who fled to the confines of Upper Canada, necessarily produced an unexpected claim upon the contingent fund. With those who were engaged in his recaption, the stipulation on my part was to defray their necessary expenses, and present their services to the consideration of the General Assembly for compensation. These services, on account of several considerations, were certainly meritorious and attended with considerable fatigue and exposure.

The request which has convened you for the discharge of your public duties, was not determined on, without reflecting upon the personal inconvenience which might be experienced by some of the members of the General Assembly. The period of your meeting however, will not add to the public expenditures; though the time afforded thereby may be found necessary, to prevent a serious public loss, and to avoid a corresponding responsibility which would otherwise be its attendant.

The peculiar and interesting situation of the State, will require much precaution and patriotic exertion, on the part of those particularly, to whom its legislative functions have been confided, to resuscitate its financial concerns, and provide for the present and future demands, in such manner as the public faith of the state imperiously requires. Local jealousies and partialities should be avoided, and the public concerns regulated and directed, by the first principles upon which our political fabric has been erected: uniting our common exertions, to effect the great objects for which delegated authorities have been constituted.

With the confidence which has been reposed by our fellow citizens, in the beneficial results to be realized from your deliberations, allow me to unite, imploring the assistance of that Power, without whose co-operation every other will be unavailing.

JONATHAN JENNINGS.

Corydon, November 20th, 1821.

After which the Senate returned to their chamber.

On motion,

The Senate adjourned until this afternoon at 2 o'clock.

Tuesday afternoon, Nov. 20, 1821.

Senate assembled pursuant to adjournment.

Mr. Bartholomew, from the committee on elections, reported that they had examined the credentials of Messrs. Bennett, Blake, Clarke, Graham, Harrison, Sholtz and Slaughter, and find them respectively returned duly elected, and that they are entitled to seats in the Senate of the state of Indiana.

On motion,

Resolved, That the Senate concur in the above report.

On motion by Mr. Bartholomew—

The Senate went into a committee of the whole on "the joint resolution to promote education." Mr. Bartholomew in the chair; and after some time spent therein, rose and reported the same to the Senate, with an amendment, and requested the concurrence of the Senate thereto.

On motion by Mr. Bartholomew—

Resolved, That the Senate concur in said amendment.

On motion by Mr. Blake—

Ordered, That the said resolution be read a third time, *now*

The said resolution having been read a third time and the question being put "shall this joint resolution pass?" it was determined in the affirmative.



On motion by Mr. Daniel—

Resolved, That the title thereof be 'A joint resolution on the subject of education.'

Ordered, That Mr. Blake inform the House of Representatives, and request their concurrence therein.

A message from the House of Representatives, by Mr. Dewey, a member.

Mr. President—

I am instructed to inform the Senate that the House of Representatives have appointed a committee on their part, consisting of Messrs. Dunbar, Lane and Dewey, to contract for the printing of the necessary number of the copies of the Governor's message for the use of both houses, and that the House of Representatives request a similar committee on the part of the Senate:

And he withdrew.

On motion by Mr. Graham—

Resolved, That the Senate concur in the said resolution.

Ordered, That Messrs. Graham and Clark be a committee on the part of the Senate, and that Mr. Graham inform the House of Representatives thereof.

On motion by Mr. Slaughter—

Resolved, That the Senate do now proceed to the election of a sergeant at arms for the present session.

The Senate having proceeded to the election of a sergeant at arms, when upon counting the votes given, it appeared that Francis N. Moore was duly elected.

On motion by Mr. Harrison—

Resolved, That a committee be appointed to enquire into the expediency of abolishing the office of County Commissioner, and vesting their power and duty in justices of the peace, with leave to report by bill or otherwise.

Whereupon, Messrs. Harrison, Clarke, Cotton and Daniel, were appointed that committee.

On motion by Mr. Clarke—

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of abolishing all laws imprisoning persons for debt, and report by bill or otherwise.

On motion by Mr. Harrison—

Resolved, That a committee be appointed to enquire into the expediency of abolishing the office of County Treasurer, and vesting his powers and duties in the Sheriffs of the several counties throughout the state, with leave to report by bill or otherwise.

Whereupon, Messrs. Harrison, Blake and Gregory, were appointed that committee.

On motion by Mr. Gregory—

Resolved, That a committee be appointed to enquire into the expediency of repealing the laws now in force allowing grand jurors pay for their services as heretofore, with leave to report by bill or otherwise.

Whereupon, Messrs. Gregory, Daniel, Gray, Bartholomew and Clarke, were appointed that committee.

On motion by Mr. Clarke—

Resolved. That a committee be appointed to enquire into the expediency of reducing the fees and allowances made to state and county officers, with leave to report by bill or otherwise.

Whereupon, Messrs. Clarke and Graham, were appointed that committee.

On motion by Mr. Daniel—

Resolved. That Mr. Graham be added to the committee on the judiciary.

On motion by Mr. Daniel—

Resolved. That a committee be appointed whose duty it shall be to learn of his Excellency, the Governor, the nature of the securities he has executed to the state Bank; whether they be bills of exchange or promissory notes—and procure a copy of them for the use of this house.

Whereupon, Messrs. Daniel and Blake were appointed that committee.

On motion—

The Senate adjourned till to-morrow morning at nine o'clock.

Wednesday Morning, November 21st, 1821.

The Senate assembled pursuant to adjournment.

Daniel C. Lane, treasurer of state, now handed in the following written communication: viz.

TREASURY DEPARTMENT, 21st Nov. 1821.

I herewith transmit you my annual report for the year 1821.

Yours respectfully.

D. C. LANE, *Treasurer.*

The Treasurer in obedience to the act of the general assembly entitled "an act concerning the Auditor of public accounts, and Treasurer of State,

Submits the following report:

That there was remaining in the hands of the treasurer, on the 27th day of November, 1820, the sum of - - - \$146 96 1-2

That from the 27th day of November, 1820 to the 17th day of November, 1821, there has been received on loan, the sum of - - - \$1,800 00

Within the periods above mentioned, there has been paid into the treasury by sundry sheriffs and other collectors of the revenue, due the state, for the year 1820, and also for arrearages due for prior years, the sum of 11,144 00

From the sheriffs of Jefferson, Jennings and Pike, for the year 1821, the sum of 677 00

There has been received from the superintendants of salt lick reserved sections, the sum of - - - 256 00

From the late sheriff of Harrison county,
on execution against sundry citizens of Har-
rison county, the sum of - - - 91 00

From the sale of depreciated bank paper,
the sum of - - - 36 56

In addition to which there has been receiv-
ed from his Excellency, Jonathan Jennings,
treasury notes to the amount of - - 10,000 00

Making a sum total of 24,144 11 1-2

With n the periods above mentioned, there
has been paid at the treasury, in discharge of
the contingent expenses of government, \$501 86

In the payment of the officers of the execu-
tive - - - 2,800 00

In payment of the members of the General
Assembly, and incidental expenses, attendant
thereon, embracing also the postage on letters,
the allowance to agents of salt lick reserves for
the enumeration of the white male inhabitants
of this state, and compensation to the commis-
sioners who ran the state line, the sum of 9,180 45

In payment of the officers of the Judiciary,
the sum of - - - 5,501 72

In payment for wolves destroyed, the sum of 90 00

In payment of the interest on the loan, 1,800 00

In the payment of the militia claims, the
sum of - - - 242 20

In the depreciation of bank paper, the sum
of - - - 99 00

Making the sum total of \$19,710 34

Leaving a balance in the hands of the treas-
urer, on this day, of - - - \$4,426 79

All of which is respectfully submitted.

D. C. LANE, Treasurer.

On motion,

Ordered, That the said report, and the accom-
panying documents, be referred to the committee
of ways and means.

On motion by Mr. Harrison—

Resolved, That the judiciary committee be in-
structed, to enquire into the expediency of a gen-
eral revision of the existing statute laws of this
state :

That said committee be requested to confer
with the judiciary committee, on the part of the
House of Representatives, on the subject : And
that said committee report to the House, at as
early a period as possible, the most efficient meth-
od of effecting the object, if in their opinion a re-
vision be expedient.

Mr. Blake gave notice, that he would on to-
morrow, ask leave to introduce a joint resolution,

on the subject of the United States' land, lying in the Terre Haute District.

Mr. Graham, from the joint committee appointed to contract for the printing of the Governor's message, for the use of both Houses of the General Assembly, reported, that the committee had performed that duty, and agreed with Matthew Patrick, the public printer, for the delivery of 800 printed copies, on the same terms, on which he has contracted to do other public printing.

On motion,

Resolved, That the Senate concur in the said report.

On motion by Mr. Sholtz—

Resolved, That the committee on the judiciary be instructed, to enquire into the expediency, of extending the jurisdiction of magistrates, to one hundred dollars, with leave to report by bill or otherwise.

A message from the House of Representatives by Mr. Merrill, a member.

Mr. President,

I am instructed by the Speaker of the House of Representatives, to inform the Senate, that messrs. Merrill, Lane, Dunbar, Battell and Thompson, have been appointed managers of the impeachment, against Curtis Gilbert, clerk of Vigo coun-

ty, and I am instructed by the managers on the part of the said impeachment, to request the process of the Senate to issue against the said Curtis Gilbert, to require his attendance at such time and place, as the Senate may think proper to appoint, for the trial of said impeachment—Also,

A subpoena duces tecum, to the said Gilbert, to produce on said trial the record or transcript of a judgment in the Vigo Circuit Court, wherein, Messon and Pocock were plaintiffs, and Robert Brasher defendant, and the declaration in an action of trespass, *vi et armis*, wherein, John Britton was plaintiff and Francis White defendant—Also, the *precipe*, signed by Nathaniel Huttingdon, directing the said Gilbert, clerk as aforesaid, to issue a *capias*, in favor of John Britton plaintiff, against Peter Allen defendant—and also, all the writs of execution that have been issued by the said Gilbert, in the case of Bennett, against Cressingham, Brown and Campbell—And also to issue subpoenas for Nathaniel Huntingdon, Thomas H. Scott and John Britton, to attend as witnesses on said trial—

And he withdrew.

On motion by Mr. Blake—

Resolved, That process against Curtis Gilbert, Esq. and subpoenas for witnesses to support his prosecution, be immediately issued by the President of the Senate, returnable to the first Monday in December next, pursuant to the application of

the managers, under the direction of the House of Representatives, as this morning communicated—and also, that blank subpoenas be sent to the impeached, to be used by him, to secure the appearance of his witnesses, and that the House of Representatives be informed, that their application for process and subpoenas, in the case of Curtis Gilbert, Esq. has been acceded to, and that the first Thursday in December next, has been appointed for the commencement of his trial.

Ordered, That Mr. Blake inform the House of Representatives thereof.

The President then issued the several subpoenas and process, in compliance with the above resolution:

On motion,

Mr. Francis N. Moore was called, and sworn into office, as sergeant at arms of the Senate.

On motion,

Robert A. New, Esq. assistant secretary of the Senate, was called and sworn into office.

Mr. Daniel from the committee appointed to wait on his Excellency the Governor, to enquire the nature of the securities executed by that officer to the state bank, for loans contracted by the state, now reported the written answer of the Governor upon that subject, which having been read, was,

On motion by Mr. Harrison—

Ordered, Together with the accompanying documents, to be laid on the table.

Mr. Blake now asked for and obtained leave, to hand in the petitions of sundry inhabitants of Owen county, praying for the erection of a new county, out of the said county of Owen, which was read—And

On motion of Mr. Blake—

Ordered, That the same be referred to a select committee, with leave to report thereon by bill or otherwise:

Whereupon,

Messrs. Blake, Sholtz and Gregory were appointed that committee.

Mr. Slaughter gave notice, that he would on to-morrow, or some succeeding day of the present session, ask leave to introduce a bill, authorising the Supreme Court of this state, to appoint a marshal to transact the business of said Court.

Mr. Blake gave notice, that on to-morrow, or some succeeding day of the session, he would ask leave to introduce a bill, supplementary to the act, entitled, An act for the formation of a new county, north of Vigo county.

Mr. Gregory introduced the following resolution:

Resolved, That a committee be appointed, to enquire into the expediency of abolishing the system of state attorneys for each county, and in lieu thereof, that the General Assembly shall elect one for each Judicial Circuit, with leave to report by bill or otherwise.

Which resolution was rejected.

On motion by Mr. Graham—

Resolved, That the judiciary committee be instructed, to enquire, what amendments (if any) are necessary, to the law, entitled, An act providing for the granting of letters testamentary and letters of administration, for the settlement of estates testate and intestate, with leave to report by bill or otherwise.

On motion by Mr. Clark—

Resolved, That the committee on the judiciary be instructed, to enquire into the expediency, of directing all costs of every description, accruing in suits at law and in chancery, to be included in, and collected only on the replevin bonds, entered into, in pursuance of judgments and decrees, and to report thereon.

On motion by Mr. Daniel—

Resolved, That when it shall happen, that a member shall introduce any resolution, referring any subject to the consideration of any standing committee, such member shall be considered a

member of such committee, whilst deliberating upon the subject so referred to.

On motion by Mr. Harrison—

Resolved, That a committee be appointed, to enquire into the expediency of a law, requiring clerks of the circuit courts, sheriffs, coroners, justices of the peace, and all county and township officers, who have entered, or may hereafter enter into bond and security, for the faithful performance of the duties of their respective officers, to enter into bond and security, when, in the opinion of the associate judges or the Circuit Court, if the same be sitting, the securities which have been given, have become insolvent, or insufficient, or may have removed out of the state—and on failure to execute such bond with reasonable security, as the Circuit Court or the associate judges in vacation, may require their respective officers to become vacant, and the same may be filed in such manner, as is now prescribed by law, for filling the vacancies of such officers, with leave to report by bill or otherwise.

On motion,

The Senate adjourned till 2 o'clock this afternoon.

Wednesday afternoon, 2 o'clock.

Senate assembled pursuant to adjournment.

The Secretary of state, now handed in the following communication in writing, to wit:

SECRETARY'S OFFICE, Nov. 21st, 1821.

To the Honorable the President of the Senate of the state of
Indiana.

SIR—

In conformity to an existing law of the state, I have the honor to submit the following report:

That your committee have contracted with Matthew Patrick, for the printing of the laws and journals of the present session of the General Assembly, on the following conditions:

Composition a 40 cts. pr. 1000 m's.

Press work a 40 cts. pr. token.

Folding and stitching a 5 cts. per copy.

Paper, \$4.000 pr. ream.

Forty pages shall be printed pr. week until completed.

Copies received and work delivered at Corydon.

Ky. paper, treasury notes or their present equivalent, received in payment.

The work shall be done on good paper, and with good type and good ink, and executed in a workmanlike manner.

That they have contracted with John Aydelot, to furnish the General Assembly with stationary, at the following rates:

Letter or quarto post, \$5 50 pr. ream.

Writing or cap paper, No 1. 5 50 pr. ditto.

Ditto ditto No. 2. 4 75 pr. ditto.

Ditto ditto No. 3. 4 25 pr. ditto.

And other articles of stationary at a fair price.

And with Ephraim and William Gwartney, they have contracted for fuel a 56 1-4 cents per day.

All of which is respectfully submitted.

R. A. NEW, Sec'y.

The following report was received and handed in by William H. Lilly, Auditor of state:

AUDITOR'S OFFICE,

CORYDON, Nov. 21, 1821.

To the Honorable,
The President of the Senate.

SIR—

In obedience to an act of the General Assembly entitled, "An act concerning the Auditor of Public Accounts, and the Treasury of State," I herewith transmit you my annual Report.

I have the honor to be,

Very respectfully,

Yours, &c.

W. H. LILLY.

Aud. of Pub. Accts.

The Auditor, in obedience to "an act of the General Assembly entitled, "An act concerning the Auditor and Treasurer of state," submits the following report: viz.

There has been received from sundry sheriffs, from the 27th of November, 1820, to the 17th of November, 1821 inclusive, on account of revenue arising from the year 1820, and for balances that were due for the years 1818 and 1819, the sum of - - - - - \$11,144 59

From sundry collectors of revenue, for the year 1821, the sum of - - - - - 677 00

From Adlain Campbell, superintendant of French Lick section, the sum of - - - - - 200 00

From Alexander Little, superintendant of Rices' Lick section, the sum of - - - - - 13 00

From Elisha Denny, superintendant of
Rock Lick section, the sum of - - - 38 00

From the State Bank on loan, the sum of 1,300 00

From the sale of depreciated Ohio bank pa-
per, the sum of - - - - - 26 00

From John Tipton, late sheriff of Harrison
county, in part of a judgment against sundry
citizens of said county, the sum of - - - 91 00

In addition to the above sums, there has
been deposited by his Excellency the Govern-
or in the treasury, and the Treasurer's re-
ceipt for the same filed in this office, treasu-
ry notes for the sum of - - - - - 10,000 00

Sum total \$23,995 15

There was a deficiency of monies to meet
the claims audited to the 27th of November,
1820, as per a former report, of - - - \$711 46 1-4

Since that period, there has been audited in
liquidation of militia expenses, the sum of 256 62

In liquidation of the accounts of the Judi-
ciary, the sum of - - - - - 4,976 22

In liquidation of the accounts of the Execu-
tive Department, the sum of - - - - - 2,200 00

In liquidation of the claims for wolf scalps,
the sum of - - - - - 100 00

In liquidation of the contingent expenses of
government, the sum of - - - - - 361 86

In liquidation of the accounts of the last
General Assembly, and incidental expenses
attendant thereon, including allowances to
county Censors, also to commissioners ap-
pointed to locate a site for the permanent seat
of government, and the expenses for running
the line between this state and Illinois, the
sum of - - - - - 9,248 76

In liquidation of interest arising on public
loans from the state bank, - - - 1,740 00

In liquidation of Robert Gray's account,
contractor for building the state prison, - 3,000 00

Amount of depreciated bank paper disposed
of pursuant to a joint resolution of the last
General Assembly, - - - - - 99 00

Sum total of \$22,833 86 1-4

Leaving in the hands of the treasurer on
the 17th of November, 1821, provided, all the
claims audited to that date have been paid, the
sum of - - - - - \$1,461 23 3-4

From the return of duplicates filed in this
office for taxes for the year 1820, exclusive of
the collector's commission, amounts to the
sum of - - - - - 15,325 92

And from the counties of Knox, Davies,
Martin, Sullivan, Green, Scott, Lawrence,
Pike, Randolph, Wayne and Bartholomew,
no duplicates have been received; but the rev-
enue derived from thence may be estimated at 4,500 00

Sum total 19,825 92

The same difficulty exists in the Auditors department, as was mentioned in the report of the last year, and considerable inconvenience will result to collectors of the revenue, on paying the same into the treasury, when there has been no certificate forwarded by the clerks—hence they are more frequent.

There will be due on the 1st of January next, one thousand eight hundred and forty-eight dollars, for interest on loans, in addition to which there will become due on the public debt, ten thousand dollars on the 30th of December next, four thousand on the 3d day of January next, and six thousand on the 16th day of May next.

A receipt from the treasurer of state is on file in this office for the sum of ten thousand dollars in treasury notes received for revenue on the 17th day of May 1821.

Respectfully submitted.

WM. H. LILLY,
Aud. Pub. Accts.

On motion,

Ordered, That the above report and accompanying documents be referred to the committee of ways and means.

On motion,

The Senate adjourned until to-morrow morning at nine o'clock.

Thursday Morning, November 22, 1821.

Senate assembled pursuant to adjournment.

Ordered, That Mr. Blake inform the House of Representatives that the Senate have elected Francis N. Moore, sergeant at arms for the Senate for the present session.

On motion by Mr. Clark,

Resolved, That the Treasurer and Auditor be and they are hereby requested to state more specifically the different items or sums included in one general account in their last annual report; and that the committee of ways and means inform the Treasurer and Auditor of the adoption of this resolution.

On motion by Mr. Harrison,

Resolved, That a committee be appointed to enquire into the expediency of repealing all laws allowing a replevy or stay of execution on judgments which may be rendered by any of the courts within this state, on all contracts which may be entered into from and after the first day of June next; with leave to report by bill or otherwise.

Whereupon,

Messrs. Harrison, Blake and Danisl, were appointed that committee.

On motion by Mr. Graham,

RESOLVED, That the Governor's message be referred to a committee of the whole, and be the order of the day for this day.

Whereupon,

The Senate, according to order, resolved themselves into a committee of the whole, Mr. Gray in the chair;—and after some time spent therein, the

committee rose, and Mr. Gray reported that the committee of the whole had, according to order, had the said message under consideration, and had passed several resolutions referring several subjects to several committees, which said several resolutions were read, and are as follows:

1st. *Resolved*, That so much of the Governor's message as relates to the debt due the State Bank by the state, be referred to a select committee, with leave to report thereon.

2d. *Resolved*, That so much of the Governor's message as relates to domestic manufactures, be referred to a select committee, with leave to report thereon.

3d. *Resolved*, That so much of the Governor's message as relates to education, be referred to the committee on education.

4th. *Resolved*, That so much of the Governor's message as relates to a revision of the statute laws, be referred to the judiciary committee.

5th. *Resolved*, That so much of the Governor's message as relates to the militia and arms furnished, be referred to the committee on military affairs.

6th. *Resolved*, That so much of the Governor's message as relates to the penitentiary at Jeffersonville, be referred to a select committee, with leave to report, &c.

7th. *Resolved*, That so much of the Governor's message as refers to the reclamation of John Dahmen, be referred to a select committee, with leave to report thereon.

8th. *Resolved*, That so much of the Governor's message as !!

On motion by Mr. Gray,

Resolved, That the above resolutions be concurred in by the Senate.

Ordered, That Messrs. Bartholomew, Bennett and Daniel be appointed a committee on so much of the Governor's message as relates to the penitentiary at Jeffersonville.

Ordered, That Messrs. Daniel, Bartholomew, Clark, Graham and Harrison, be a committee on so much of the Governor's message as relates to domestic manufactures.

Ordered, That Messrs. Harrison, Shultz, Gray, Gregory, Clark and Bartholomew, be a committee on so much of the Governor's message as relates to the debt due by the state to the State Bank of Indiana.

Ordered, That Messrs. Blake, Clark and Slaughter, be a committee on that part of the Governor's message which relates to the reclamation of John Dahmen.

Mr. Gregory gave notice that he would on tomorrow, or some subsequent day of this session, introduce a bill to amend an act entitled "an act authorising the people of Dubois county and other counties therein named, to establish a County Library." Approved, Jan. 28th, 1818.

Mr. Daniel moved the adoption of the following resolution, viz:

RESOLVED, That the committee to whom was referred the subject of the three per cent. fund, be instructed to draft and report a bill distributing the three per cent. fund equally among the several counties of the state, to be appropriated to the opening of roads; and that no county be considered to contain more than four hundred square miles.

Which resolution was decided in the negative; and so the resolution was lost.

On motion by Mr. Clark,

RESOLVED, That the several committees on the Governor's message, on the part of both houses, be requested to meet in the representative chamber this evening, at 6 o'clock, in order to confer together, and so divide the several subjects as to prevent both houses from acting on the same subject at the same time; and that,

Ordered, That Mr. Clark inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ross, their clerk.

Mr. President—

I am instructed by the House of Representatives, to inform the Senate that the House of Representatives have passed an engrossed bill, entitled "An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected for a permanent seat of government; and to legalize the report and allowances made by Christopher Harrison, one of the said commissioners;" in which they request the concurrence of the Senate.

And he withdrew.

The said bill was read the first time, and

On motion by Mr. Daniel,

Resolved, That so much of the rules of the Senate as requires the reading of a joint resolution or bill on three several days, be dispensed with, and that the said bill be read a second time now, and a third time this evening.

Whereupon,

The said bill was read a second time, according to order.

On motion,

The Senate adjourned until this afternoon at 3 o'clock.

Thursday afternoon, 3 o'clock.

Senate assembled pursuant to adjournment.

On motion by Mr. Graham,

The Senate proceeded to consider the engrossed bill from the House of Representatives, entitled "An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected for a permanent seat of government; and to legalize the report and allowances made by Christopher Harrison, one of the said commissioners;" and the same was according to order read the third time.

And—

Resolved, That the same pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Tipton, a member.

Mr. President,

I am instructed by the House of Representatives to inform the Senate that the House of Representatives have passed an engrossed bill, entitled 'An act repealing a joint resolution concerning the Treasurer of State.' Approved, Dec. 13th, 1820; in which they request the concurrence of the Senate.

And he withdrew.

The said engrossed bill was read—and,

On motion, and by consent, the same was read a second time.

On motion,

Ordered, That the same be referred to a committee of the whole house, and be made the order of the day for tomorrow.

A message from the House of Representatives, by Mr. Merrill, a member.

Mr. President,

I am instructed by the House of Representatives, to inform the Senate that the House of Representatives have adopted the joint resolution on the subject of education, which originated in the Senate, with sundry amendments, in which they request the concurrence of the Senate.

And he withdrew.

The said amendments having been read and considered,

On motion,

Resolved, That the Senate concur therein.

Ordered, That Mr. Blake inform the House of Representatives thereof.

A message from His Excellency the Governor, by H. H. Moore, his private secretary.

Mr. President,

I am instructed by the Governor to lay before the Senate the following communication in writing:

To the Senate

and House of Representatives,

The details herewith submitted to the General Assembly, in relation to the State Bank and branches, are not to be considered as minutely correct.

They are substantially correct as it regards the branches, but the state of the books of the Bank of Vincennes was not such as to afford accurate information on all the subjects required, inasmuch as many of the running accounts were not balanced.

It is remarkable that the Brookville Branch, by negotiation, added to the amount of its paper in circulation during the month of March last, notwithstanding the assurances given on behalf of that institution, the 9th day of November, 1820.

On motion by Mr. Blake—

Resolved. That such part of the documents transmitted to the Senate by His Excellency the Governor, on the subject of Banks, as relates to His Excellency's application to the Bank of Madison and its Branch, in pursuance of a joint resolution of the General Assembly at its last session, be referred to a select committee, with leave to report by bill or otherwise.

Whereupon,

Messrs. Blake, Graham and Gray, were appointed that committee.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President,

The House of Representatives concur in the resolution

from the Senate, requesting a joint meeting of the several committees appointed on the several subjects recommended in the Governor's message.

And he withdrew.

Mr. Blake asked for and obtained leave to introduce a joint resolution on the subject of public lands lying within the Terre Haute District, which was read—and,

On motion of Mr. Blake—

Ordered, That the same be read a second time on to-morrow.

On motion,

The Senate adjourned till to-morrow morning at nine o'clock.

FRIDAY MORNING, 9 o'clock, Nov. 23, 1821.

The Senate assembled pursuant to adjournment.

A quorum of the Senators not appearing, on account of the indisposition of a number of the members,

On motion,

The Senate adjourned till this afternoon at two o'clock.

FRIDAY AFTERNOON, 2 o'clock, Nov. 23, 1821.

The Senate assembled pursuant to adjournment.

A quorum of the Senators not appearing, in consequence of the indisposition of some of the members.

The Senate adjourned till to-morrow morning 9 o'clock.

SATURDAY MORNING, 9 o'clock, Nov. 24, 1821.

Senate assembled pursuant to adjournment.

The following communication was handed in by the treasurer of state, and laid before the Senate by the president:

Corydon, Nov. 23, 1821.

SIR—

Enclosed is the Legislative account, from the 27th day of Nov. 1820, to the 17th Nov. 1821, in detail.

Yours respectfully,

D. C. LANE, Treasurer.

On motion by Mr. Harrison—

Ordered, That the above report of the Treasurer of State be referred to the committee of ways and means, together with all the accompanying documents.

The following communication was handed in by the Auditor of public accounts, and laid before the Senate by the President, viz:

Auditor's Office, Nov. 23, 1821.

To the Hon. the President of the Senate.

SIR—

I herewith have the honor to submit to the Senate the following communication, in obedience to the resolution of the Senate of the 22d instant.

I have the honor to be

Very respectfully yours, &c.

WM. H. LILLY, Aud't. P. A.

On motion—

Ordered, That the said communication and the accompanying documents be referred to the committee of ways and means.

Mr. Harrison submitted the following resolution:

Resolved, That a committee be appointed on the part of the Senate, to act with such committee as may be appointed on the part of the House of Representatives, to enquire into the expediency of a law dividing the state into Congressional districts, for the purpose of electing members of the Congress of the United States; with leave to report by bill or otherwise; which resolution was read—And,

On motion by Mr. Blake—

Ordered, That the same lie on the table.

Mr. Harrison gave notice, that on Monday next he would ask leave to introduce a joint resolution of the General Assembly, for the relief of Elias P. Fordham.

A message from the House of Representatives, by Mr. Tipton, a member.

Mr. President—

The House of Representatives have passed "An engrossed joint resolution for the benefit of the public printer;" in which they request the concurrence of the Senate.

And he withdrew.

On motion by Mr. Blake, and two thirds of the Senate concurring,

Ordered, That the said resolution be read a second and third time now.

The said resolution having been read a second time,

On motion by Mr. Blake—

Resolved, That said joint resolution be amended, by adding the following:

"Provided, nevertheless, that the said sum shall not be paid out of the funds according to the contract entered into by the printer."

This resolution to take effect from and after its passage."

The said resolution was then read a third time as amended—And,

Resolved, That the same pass as amended.

Ordered, That Mr. New inform the House of Representatives hereof, and request their concurrence in the said amendment.

Mr. Daniel submitted the following resolution:

Resolved, That the committee to whom was referred the subject of the three per cent fund, be instructed to appropriate the said fund on roads, in proportion to the territory in this state, without regard to population. Which resolution was read—And,

On motion by Mr. Graham—

Ordered, That the said resolution lie on the table.

Mr. Blake, pursuant to notice, now asked for and obtained leave to introduce a bill supplementary to an act entitled "An act for the formation of a new county north of Vigo county." Which was read—And,

Ordered, That the same pass to its second reading on Monday next.

On motion,

The Senate, according to order, resolved itself into a committee of the whole, on the engrossed bill from the House of Representatives, entitled "An act repealing the joint resolution concerning the Treasurer of State;" approved Dec. 13, 1821. Mr. Graham in the chair—and, after some time spent therein, the President resumed the chair and reported the said bill to the Senate, with sundry amendments—And,

On motion by Mr. Gregory—

Resolved, That the amendments made to the last mentioned bill, be concurred in, which amendments are as follows, to wit:

1st. By inserting after the enacting clause the following words:—"That so much of the joint resolution concerning the Treasurer of State, approved Dec. 13th, 1820, as requires the Treasurer of State to register the number, date and amount of each note, be and the same is hereby repealed."

Ordered, That Mr. Gregory inform the House of Representatives thereof, and request their concurrence in said amendments.

On motion by Mr. Sholts—

Resolved, That a select committee be appointed to enquire into the expediency of authorising the associate judges of the Circuit Court in each county, in case of the death, resignation or removal from office, of the clerk of the Circuit Court of the county, to appoint a clerk protem. to fill such vacancy until a successor be duly elected and qualified, and that the clerk so appointed shall give sufficient and approved security, as in case of clerks elected.

Ordered, That Messrs. Sholts and Blake be that committee.

Mr. Blake, from the committee on the judiciary, now asked for and obtained leave to introduce a bill amendatory to the act entitled "An act authorizing the issuing of letters testamentary and letters of administration for the settlement of in-

testates, and for other purposes." Which was read—And,

On motion,

Ordered, That the same pass to a second reading on Monday next.

A message from the House of Representatives by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have appointed Messrs. Lane, Johnston of Ruox, Chamberlain and Dunbar, a committee of enrolled bills, on the part of the House of Representatives.

Ordered, That Mr. Blake inform the House of Representatives, that Messrs. Blake and Graham have been appointed a committee of enrolled bills, on the part of the Senate.

A message from the House of Representatives, by Mr. Ross, their clerk.

Mr. President—

The House of Representatives concur in the amendments made by the Senate, to the engrossed joint resolution for the benefit of the public printer, which originated in the House of Representatives.

And he withdrew.

And the Senate adjourned until this afternoon 2 o'clock.

Saturday afternoon, 2 o'clock, Nov. 24, 1821.

The Senate assembled pursuant to adjournment.

On motion,

Ordered, That the Senate adjourn until Monday morning 9 o'clock.

MONDAY Morning, 9 o'clock, Nov. 26, 1821.

Senate assembled pursuant to adjournment.

Mr. Clark, from the committee of ways and means, on the part of the Senate, now reported that the committee to whom was referred the report of the Treasurer of State and Auditor of public accounts, had compared the accounts of the said officers, and found them to agree, and that they have compared the second report of the said officers, which was made in pursuance of a resolution adopted in the Senate on the 22d inst. and find them to agree.

On motion—

Resolved, That the said report be concurred in.

Mr. Blake, from the committee for enrolled bills, reported that the committee had examined and compared the enrolled with the engrossed bill entitled "An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site selected as a permanent seat of government, and to legalize the report and allowances made and signed by Christopher Harrison, one of said commissioners, and have found the same truly enrolled.

Mr. Harrison, from the committee to whom was referred that part of the Governor's message which relates to the public debt due by the state to the Bank of Vincennes, the State Bank of Indiana, reported that they had, according to order, conferred with the committee appointed on the part of the House of Representatives, on the same subject, and had agreed that the subject should be reported to the House of Representatives by the committee on the part of that house, it being a subject connected with the revenue.

The Senate concurred in the above report.

On motion by Mr. Graham—

RESOLVED, That a committee be appointed to enquire what provisions (if any) are necessary to enable the state of Indiana to take possession of such salt springs and other lands as have been granted to the state, for the purpose of manufacturing salt, under the provisions of an act of Congress, entitled "An act to enable the people of the Indiana Territory to form a constitution and state government, and for the admission of such state into the Union, on equal footing with the original states;" with leave to report by bill or otherwise.

Whereupon,

Messrs. Graham, Clark and Cotton, were appointed that committee.

Mr. Harrison, according to previous notice, now asked for and obtained leave to introduce a joint resolution for the relief of Elias Fordham; which was read—And,

On motion,

Ordered, That the same pass to a second reading on tomorrow.

A message from the House of Representatives, by Mr. Lane, a member.

Mr. President—

I am instructed by the House of Representatives, to inform the Senate that the Speaker of the House of Representatives has signed an enrolled bill, entitled "An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly, to lay off a town on the site

selected as the permanent seat of government; and to legalize the report and allowances made and signed by Christopher Harrison, one of the said commissioners." I am instructed to request the signature of the President of the Senate thereto.

And he withdrew.

The President having signed the said enrolled bill, it was handed to the committee for enrolled bills, to be presented to the Governor, for his approval and signature.

On motion by Mr. Clark—

Resolved. That a committee be appointed to enquire into the expediency of adopting such preliminary measures as will lead to a removal of the obstructions to navigation of the Wabash river, lying between the borough of Vincennes and commonly called the Grand Rapids; with leave to report by bill or otherwise.

Whereupon,

Messrs. Blake and Shells were appointed that committee.

A message from the House of Representatives, by Mr. Tipton, a member.

Mr. President—

I am instructed to inform the Senate that the House of Representatives have adopted the following resolution:

Whereas, it has pleased Almighty God to call from this vale of tears the much respected and highly lamented JOHN N. DUNBAR, Esq. a member of the House of Representatives, from the county of Harrison:

Resolved, That the members and officers of the House of Representatives wear crape on the left arm, as a badge of mourning, for the space of one month; and as a testimony of their respect for the talents and standing, and esteem for the usefulness and integrity of the said deceased; and that the house will adjourn on this day at 10 o'clock, A. M. till to-morrow morning at 9 o'clock, for the purpose of attending his funeral, which will take place precisely at 12 o'clock on this day; and that the Senate be informed thereof, and a similar resolution requested.

And he withdrew.

On motion by Mr. Slaughter—

Resolved, by the Senate, that the members and their officers wear crape on the left arm for the space of one month, as a testimony of the high respect they entertain for the talents and integrity of the late JOHN N. DUNBAR, deceased, a member of the House of Representatives; and that the Senate adjourn this day at 10 o'clock, till 9 o'clock to-morrow morning; and that the House of Representatives be informed thereof.

Ordered, That Mr. Slaughter inform the House of Representatives.

On motion—

The Senate adjourned until to-morrow morning at nine o'clock.

TUESDAY MORNING, 9 o'clock, Nov. 27, 1821.

Senate assembled pursuant to adjournment.

On motion by Mr. Daniel—

Resolved, That a select committee be appointed to enquire into the expediency of a County Seminary in the county of Gibson, with leave to report by bill or otherwise.

Whercupon,

Messrs. Daniel, Slaughter, Harrison and Blake, were appointed that committee.

Mr. Gregory now asked for and obtained leave to hand in the petition of sundry citizens of the counties of Delaware and Wabash, praying for the formation of a new county out of said counties; which was read—And,

On motion by Mr. Gregory—

Ordered, That the said petition be referred to a select committee, with leave to report by bill or otherwise—And

Messrs. Gregory, Blake, Graham and Shoits, were appointed that committee.

The bill amendatory to the act entitled "An act authorizing the granting of letters testamentary and letters of administration, for the settlement of intestate estates and for other purposes," was according to order read a second time to-day—And,

On motion,

Ordered, That the same be referred to a committee of the whole house, and be made the order of the day for to-morrow.

The joint resolution for the relief of Elias P. Fordham, was according to order read a second time to-day—And,

On motion—

Ordered, That the same be referred to a committee of the whole house, and made the order of the day for to-morrow.

The bill to abolish the board of county commissioners, the office of county treasurer, and for the general retrenchment of county expenditures, was according to order read the second time—And,

On motion—

Ordered, That the same lie on the table.

The joint resolution on the subject of public lands lying in the Terre Haute land district, was according to order read the second time now—And,

On motion—

Ordered, That the same be engrossed for a third reading to day.

The bill supplementary to the act entitled "an act for the formation of a new county north of Vigo county," was according to order read a second time to-day—And,

On motion—

Ordered, That the same be engrossed and read a third time on to-morrow.

A message from the Governor, by Mr. Moore, his private secretary.

Mr. President—

I am instructed by his Excellency the Governor, to lay before the Senate the following communication in writing :

To the Senate and
House of Representatives.

In compliance with the request of the executive and legislative authorities of the state of Ohio, I herewith present for the consideration of the General Assembly, copies of a report of the joint committee of both houses of the General Assembly of that state, on the proceedings of the Bank of the United States against its officers of state.

This document involves principles of vital importance to the perpetuity of the Federal Government, and to the rights of sovereignty.

It affords commanding evidence of the intelligence of the legislative body from which it emanated, and will be appreciated while state rights shall be considered important to the freedom of the citizen.

The opinion of the General Assembly is respectfully requested on the part of the General Assembly of the state of Ohio.

JONATHAN JENNINGS.

Corydon, Nov. 25, 1821.

To the Senate and
House of Representatives,

Herewith is submitted to the General Assembly, copies of certificates of deposits made in the Bank of Vincennes and its Branch in this place, together with a statement of the accounts in those banks, as they stand at present.

The propriety of using those deposits in discharging the public debt, is submitted to the consideration of the Legislature.

JONATHAN JENNINGS.

Bank of Vincennes, the State Bank
of Indiana, May 5, 1821.

This is to certify that the Governor of the state of Indiana has this day deposited in this institution five thousand dollars, which sum remains subject to his order, on the return of this certificate.

E. BOUDINOTT, Cashier.

The Bank of Vincennes Dr.

To the State of Indiana

\$ 5,000

CR. By a draft in favor of the Jeffersonville Ohio
Canal Company,

\$ 2,000

Ditto By a draft on the Bank of Columbus, for
which a certificate of deposit has been rec'd,
promising payment in notes of the Vincennes
Bank,

\$ 1,200

\$ 3,400

Leaving in Bank, \$ 1,800

Corydon Branch Bank, Dr.

To the State of Indiana,

\$ 2,000

Corydon Branch Bank,

May 11, 1820.

\$2,000

Deposited, to the credit of the Governor of the state of Indiana, by his Excellency Jonathan Jennings, two thousand dollars, in notes of the Bank of Vincennes, the State Bank of Indiana; payable in kind, to said Governor's order, on return of this certificate.

THO'S. POSEY, Cashier

CORYDON, Nov. 23d, 1821.

To the Senate and House of Representatives.

Herewith is presented, for the information of the General Assembly, copies of a letter from the Commissioner of the General Land Office, in reply to one addressed to him on the subject of the three per cent. fund accruing to this state.

Respectfully, &c.

JONATHAN JENNINGS.

Copy of a letter above alluded to.

GENERAL LAND OFFICE,
6th Sept. 1821

SIR—

Agreeably to your request, a statement of the amount of moneys payable to the state of Indiana, on account of the three per cent. fund, is in preparation, and will be transmitted as soon as practicable. The discrimination of moneys received for lands sold in Indiana which are situated in Illinois, from the lands situate in Indiana, is a work which will unavoidably create delay, as the Land Office returns have blended those items.

I have the honor to be,

With great respect, Sir,

Your obt. serv't.

JOSIAH MEIGS.

His Ex'cy JONATHAN JENNINGS, Gov. &c.

CORYDON, Nov. 24th. 1821.

To the Senate and House of Representatives,

Herewith is presented to the consideration of the Senate, a communication transmitted by the Governor of the state of New Hampshire, on the subject of making appropriations of public lands for the promotion of education.

Respectfully, &c.

JONATHAN JENNINGS.

On motion by Mr. Harrison—

Resolved, That the Governor's communications and accompanying documents, so far as relates to the three per cent. fund, be referred to the committee heretofore appointed on that subject.

Resolved, That the Governor's communication & accompanying documents from the Governor of New Hampshire, be referred to the committee on education, to report thereon.

Resolved, That the Governor's message, and the accompanying documents, in relation to the deposits made by him in the State Bank and Branch at Corydon, be referred to the committee to whom was referred so much of his Excellency's message as relates to the public debt.

On motion by Mr. Clark—

Resolved, That so much of the Governor's message and accompanying documents as relates to the report of the joint committee of the General Assembly of the state of Ohio, on the subject of the proceedings of the Bank of the United States against the officers of that state, be referred to a select committee, to consider and report thereon.

Whereupon,

Messrs. Clark, Cotton, Blake, Graham and Daniel, were appointed that committee.

The following communication was received from Curtis Gilbert, clerk of Vigo county, and laid before the Senate by the President:

CORYDON, Nov. 27, 1821.

To the Honorable the President of the Senate.

Permit me, in the absence of my counsel, to request that an order be made, either general or special, for such process on my behalf as may be necessary to procure the attend-

dance of my witnesses on my trial, and for such other process as may be required to procure written evidence on my behalf. And for the removal of a doubt which is entertained as to the propriety of taking from the Clerk's Office of Vigo county, of which I have the honor to be clerk, any of the original papers therein filed, and which it is of the utmost importance for me to produce on the trial, I would beg leave to ask on the part of the Senate, an order authorizing me to produce the same.

I have the honor to be,
Very respectfully &c.
CURTIS GILBERT.

Which said communication was read ;—and,

On motion by Mr. Blake—

The Senate adopted the following resolution, viz :
Whereas Curtis Gilbert, clerk of Vigo county, has arrived at the seat of government, to attend to his trial before the Senate, and did not meet with the sergeant at arms, recently despatched with process against him, and subpoenas in part for his benefit :—

Therefore,

RESOLVED, That the President of the Senate cause to be properly issued blank subpoenas for said Gilbert, to be used by him to procure the attendance of witnesses on his behalf, on his impeachment before the Senate ; also a subpoena duces tecum addressed to said Gilbert, directing him to produce records filed in his office, or any other written evidence connected with the charges against him.

A message from the House of Representatives, by Mr. Johnston of Knox, a member.

Mr. President—

The House of Representatives have passed an engrossed bill, entitled "an act to divorce Peggy Harness from her husband Michael Harness," and request the concurrence of the Senate thereto.

And he withdrew.

The said engrossed bill was read the first time.

On motion of Mr. Blake—

Ordered, That the same pass to a second reading on Monday next.

On motion—

ORDERED, That the Senate adjourn until this afternoon 2 o'clock.

TUESDAY Afternoon, Nov. 27, 1821—2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Blake from the joint committee for enrolled bills, reported that they had compared and found truly enrolled,

A joint resolution on the subject of education ;—and,

An act repealing part of a joint resolution concerning the Treasurer of state ; approved December 13th, 1810.

The engrossed joint resolution on the subject of public lands lying within the Terre Haute land district, was read the third time—and,

Resolved, That the same pass, and that the title thereof be "a joint resolution on the subject of public lands lying within the Terre Haute district.

Ordered, That Mr. Blake inform the House of Representatives thereof, and request their concurrence.

Mr. Gregory from the committee to whom was

referred the petition of sundry inhabitants of Delaware and Wabash, praying the formation of a new county out of said counties, reported by bill, which was read;—and,

On motion,

Ordered, That the same pass to a second reading on Monday next.

A message from the House of Representatives, by Mr. Lane, a member.

Mr. President—

I am instructed to inform the Senate that the Speaker of the House of Representatives did on this day sign a joint resolution on the subject of education, and an act repealing part of a joint resolution concerning the Treasurer of State, and I am instructed to lay the same before the Senate for the signature of the President.

And he withdrew.

The President having signed the said resolution and act, they were severally delivered to the committee for enrolled bills, to be laid before the Governor, for his approval and signature.

A message from the Governor, by H. H. Moore, his private secretary.

Mr. President—

I am instructed by his Excellency the Governor, to lay before the Senate the following communication in writing :

To the Senate

and House of Representatives,

I transmit for the information of the General Assembly, copies of a letter received from the Secretary of state, of the United States, on the subject of a late demand made upon the executive of Kentucky, for certain fugitives from the justice of this state.

This document might have been communicated at an earlier period, but for the hope that at a suitable period, the subject might have engaged the attention of the Chief Magistrate of the United States, and a decision thereon communicated.

Should it be the opinion of the General Assembly, however, that further measures within the purview of the Constitution of the United States, should be adopted in relation to the subject, any duties which may be required of the executive of this state, will be promptly discharged.

Respectfully, &c.

JONATHAN JENNINGS.

Nov. 27th, 1821.

To the Senate and

House of Representatives.

Herewith is presented to the General Assembly, copies of a letter addressed to the Secretary, and his reply thereto, on the subject of postage, from which it will be apparent that some provision is necessary, to prevent delays and consequent dissatisfaction in the execution of commissions of a civil character.

Respectfully, &c.

JONATHAN JENNINGS.

Nov. 27th, 1821.

On motion by Mr. Harrison—

Resolved, That the communication of his Excellency the

Governor, on the subject of a demand made by him upon the Executive of Kentucky, for certain fugitives from the justice of this state, together with the accompanying documents from the Secretary of state, of the United States, he referred to a select committee, with leave to report thereon.

Whereupon,

Messrs. Harrison, Sholts and Slaughter were appointed that committee.

On motion by Mr. Clark—

Resolved, That the Governor's message relative to public postage, and the documents accompanying, be referred to the committee of ways and means.

Mr. Sholts from the select committee, asked for and obtained leave to introduce a bill authorising the Associate Judges to appoint a clerk protem. in certain cases.

Which bill was read—and,

On motion—

Ordered, That the same pass to a second reading on to-morrow,

On motion,

Ordered, The Senate adjourned till to-morrow morning at nine o'clock.

WEDNESDAY MORNING, Nov. 28, 1821.

Senate assembled pursuant to adjournment.

The honorable William B. Laughlin, a Senator elect from

the county of Franklin, now appeared, handed in his credentials, and was sworn into office as a Senator of the state of Indiana, and took his seat as such.

The honorable John Conner, a Senator elect from the counties of Fayette and Union, now appeared, produced his credentials, was sworn into office as a Senator of said state, and took his seat as such.

On motion by Mr. Graham—

Resolved. That the credentials of the said gentlemen elect be referred to the committee on elections, to report thereon.

Mr. Blake from the committee on the judiciary, now reported a bill relative to costs and fee bills in this state.

Which was read—and,

On motion,

Ordered, That the same be read a second time on to-morrow.

On motion by Mr. Harrison—

Resolved, That a committee be appointed to enquire into the expediency of repealing so much of the present law as authorises the appointment of prosecuting attorneys in the different counties, and to provide by law for the appointment of an attorney general for each judicial circuit within this state, with leave to report by bill or otherwise.

Whereupon,

Messrs. Harrison, Gregory and Blake, were appointed that committee.

On motion by Mr. Harrison—

Ordered, That the resolution heretofore introduced by him on the subject of dividing the state into Congressional Districts, and referring the same to a select committee, be now taken up.

On motion by Mr. Harrison—

Resolved, That the same be adopted.

Ordered, That Mr. Harrison inform the House of Representatives thereof, and that Messrs. Harrison, Graham, Blake, Conner, Laughlin and Bartholomew, be appointed the committee on the part the Senate.

Mr. Slaughter, according to previous notice, now asked for and obtained leave to introduce a bill authorising the Supreme Court of Indiana to appoint a marshal.

Which was read—and,

On motion,

Ordered, That the same be read a second time to-morrow.

On motion—

The Senate resolved themselves into a committee of the whole, on the joint resolution for the benefit of Elias P. Fordham. Mr. Clark in the chair; and after some time spent, the committee rose, and the joint resolution was reported to the Senate without amendment, and leave was granted the committee to sit again.

On motion—

The Senate according to order, resolved themselves into a committee of the whole, on the bill amendatory to the act authorising the granting of letters testamentary and letters of administration for the settlement of intestate estates, and for other purposes, Mr. Cotton in the chair, and after some time spent therein, the committee rose, and leave was granted to sit again.

The bill authorising the associate judges to appoint a clerk protem. in certain cases, was read a second time to-day—and,

On motion,

Ordered, That the same be committed to a committee of the whole house, and made the order of the day for to-morrow.

On motion,

Ordered, That the several orders of the day be postponed till this afternoon.

Mr. Blake submitted the following resolution, viz:

Resolved, That the Senate now proceed to establish the classes of its members, in conformity with the constitution of this state.

On motion, and by consent—

Ordered, That the same lie on the table.

On motion by Mr. Blake,

Resolved, That a committee be appointed, to be called 'the committee on state roads.'

Whereupon,

Messrs. Blake, Sholts, Slaughter, Clark, Conner and Cotton, were appointed that committee.

A message from the House of Representatives, by Mr. Prince, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "an act to appropriate money for the payment of the public debt," in which they request the concurrence of the Senate.

And he withdrew.

The said bill was read the first and second times by consent—and,

Ordered, That the same be read a third time to day.

A message from the House of Representatives, by Mr. Maxwell, a member.

Mr. President—

The House of Representatives have passed an engrossed bill, entitled "an act for the relief of Jeremiah Lockwood," in which they request the concurrence of the Senate,

And he withdrew.

The said bill was read a third time—and,

On motion,

Ordered, That the same pass to a second reading on tomorrow.

On motion,

Ordered, That the Senate adjourn till this afternoon at 2 o'clock.

Wednesday afternoon, 2 o'clock. Nov. 28, 1821.

The Senate assembled pursuant to adjournment.

The engrossed bill supplementary to an act entitled "an act for the formation of a new county north of Vigo county," was according to order read the third time—and,

Resolved, That the same pass, and that the title thereof be "an act supplementary to an act entitled an act for the formation of a new county north of Vigo county."

Ordered, That Mr. Blake inform the House of Representatives thereof, and request their concurrence therein.

A message from the House of Representatives, by Mr. Tipton, a member.

Mr. President—

The House of Representatives have passed a joint resolution appropriating the sum of fifty dollars, for certain purposes therein specified, in which they request the concurrence of the Senate.

The joint resolution was read—And,

On motion,

Ordered, That the same pass to a second reading on tomorrow.

The engrossed bill from the House of Representatives, entitled "an act to appropriate money for the payment of twenty thousand dollars of the public debt," was now taken up; and, Mr. Clark moved to amend the said bill, by inserting after the word "dollars," in the 4th line of the first section, the following words, viz: "in the notes of the Bank of Vincennes, the State Bank of Indiana, or its Branches;" which amendment was lost.

Mr. Blake moved to amend the said bill, by adding the following at the end of the 2d section, viz: "Provided, however, that the debt aforesaid shall be discharged in the bank paper of the Bank of Vincennes or its branches, so far as the same may be in the Treasury at the time of payment;" which amendment was rejected.

The said bill having been read a third time, according to order.

Resolved, That the same pass.

Ordered, That Mr. New inform the House of Representatives thereof.

On motion by Mr. Daniel—

Resolved, That the trial of the impeachment against Curtis Gilbert, clerk of the Vigo Circuit Court, the managers on the part of the House of Representatives and the defendant's counsel, are requested to furnish on the day of trial, briefs so far as possible, of the law upon which they may respectively rely, and that the House of Representatives be informed thereof.

Ordered, That Mr. Daniel inform the House of Representatives thereof.

On motion by Mr. Harrison—

Ordered, That Mr. Daniel be added to the committee on state roads.

Mr. Slaughter gave notice that he would on to-morrow or some subsequent day of the present session, ask leave to introduce a bill supplementary to an act entitled "an act authorising Rebecca Heth and Fielding M. Bradford, administrators of Hervey Heth, deceased, to sell and convey certain lots, &c."

On motion—

Ordered, That the Senate adjourn until to-morrow morning 9 o'clock.

THURSDAY MORNING, Nov. 29, 1821—9 o'clock.

The Senate assembled pursuant to adjournment.
Mr. Conner presented the petition of sundry citizens of

Union county, praying the appointment of commissioners to establish a seat of justice of said county: which was read,
And,

On motion—

Ordered, That the said petition be referred to a select committee, with leave to report by bill or otherwise.

Whereupon,

Messrs. Conner, Laughlin and Gray, were appointed that committee.

Mr. Conner also presented the petition of sundry citizens of Delaware county, praying the formation of a new county out of said county; which was read—And,

On motion—

Ordered, That said petition lie on the table.

Mr. Slaughter, pursuant to previous notice, asked for and obtained leave to introduce a bill supplementary to an act authorising Rebecca Heth and Fielding M. Bradford, administrators of Hervey Heth deceased, to sell and convey certain lots, &c. Which was read—And,

On motion—

Ordered, That the same pass to a second reading on to-morrow

On motion—

The Senate resolved itself into a committee of the whole, on the bill authorising the associate judges to appoint clerks pro tem. in certain cases; Mr. Daniel in the chair—and after some time spent therein the committee rose, and the president reported the bill without amendment.

On motion—

Ordered, That the same pass to a second reading on to-morrow.

The bill authorising the Supreme Court of Indiana to appoint a marshal, &c. was read a second time—And,

On motion—

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

The bill relative to costs and fee bills in this state, was read the second time—And,

Ordered, That the same be committed to a committee of the whole, and made the order of the day for this day.

The joint resolution from the House of Representatives, appropriating fifty dollars for certain purposes therein specified, was read a second time—And,

On motion—

Ordered, That the same be committed to a committee of the whole house, and be made the order of the day for this day.

The engrossed bill from the House of Representatives, entitled "an act for the relief Jeremiah Lockwood," was read the second time—And,

On motion—

Ordered, That the same be referred to a committee of the whole on this day.

Mr. Gregory submitted the following resolution, viz :

Resolved, That the Senate come to the following order: That a committee be appointed to lay off the New Purchase into counties, and that all petitions now or hereafter offered on that subject, be referred to that committee.

Mr. Daniel moved to amend the said resolution, by striking it out from the word "Resolved" and substituting the following, viz: "That a committee of propositions and grievances be appointed, to enquire into the merits of all petitions relative to new counties; which amendment was adopted. And the resolution as amended was adopted.

On motion by Mr. Blake—

Resolved, That the committee on state roads be instructed to enquire into the expediency of having reviewed, located and laid out, a permanent road, commencing at Evansville and thence running in the nearest direction and on the best ground, by Princeton, Vincennes, Carlisle, Meron and Terre Haute, to Indianapolis.

Mr. Cotton gave notice, that he would on some succeeding day of the present session, ask leave to introduce a bill repealing the law now in force in this state, authorising the Governor to appoint Justices of the Peace at Indianapolis.

On motion,

Ordered, That the Senate adjourn till this afternoon, two o'clock.

THURSDAY AFTERNOON, Nov. 29, 1821—2 o'clock.

The Senate assembled pursuant to adjournment.]

On motion,

The Senate according to order, resolved themselves into a committee of the whole, on the joint resolution appropriating a certain sum of money for the purposes therein specified; Mr. Harrison in the chair—and after some time spent therein, the committee rose and the president reported the resolution to the Senate with an amendment thereto, by striking it out from its resolving clause—And,

On motion by Mr. Harrison,

Resolved, That the Senate concur in said amendment, and that the said resolution be postponed indefinitely.

On motion—

The Senate, according to order, resolved itself into a committee of the whole, on the bill relative to costs and fee bills in this state, and after some time spent therein the committee rose, and the President reported the bill to the Senate without amendment.

On motion by Mr. Cotton—

Ordered, That the said bill be engrossed for a third reading on to-morrow.

On motion,

The Senate, according to order, resolved themselves into a committee of the whole, on the engrossed bill from the House of Representatives; entitled "an act for the relief of Jeremiah Lockwood;" Mr. Blake in the chair—and after some time spent therein the committee rose, and the President reported the said bill with an amendment, to the Senate.

On motion by Mr. Gregory—

Resolved, That the amendment be concurred in, and that the same be read a third time on to-morrow.

Mr. Slaughter now asked for and obtained leave to introduce the petition of Cressey D. Key and others, praying for a road through the town of Levenworth to Indianapolis.

On motion by Mr. Gregory—

Resolved, That Mr. Graham be added to the committee of propositions and grievances.

On motion,

Ordered, That the Senate adjourn until to-morrow morning, 9 o'clock.

Friday Morning, 9 o'clock, Nov. 30, 1821.

Senate assembled pursuant to adjournment.

Mr. Blake, from the committee for enrolled bills, reported that the committee did on yesterday present to the Governor, for his approval and signature, "an enrolled joint resolution on the subject of education," which originated in the Senate.

Mr. Harrison, from the select committee on that subject, reported "a bill to provide for the speedy collection of all debts contracted after the first day of June next:" which was read—And,

On motion—

Ordered, That the same pass to a second reading on Monday next.

Mr. Cotton, according to previous notice, asked for and obtained leave to introduce a bill to repeal an act now in force in this state, authorising the Governor to appoint Justices of the Peace at Indianapolis; which was read—And,

On motion—

Ordered, That the same pass to a second reading on to-morrow.

Mr. Harrison, from the select committee appointed on that subject, now reported a bill requiring public officers to give new bond and security or securities, when the original

shall remove, become insolvent or insufficient; which was read—And,

Ordered, That the same pass to a second reading on Monday next.

On motion by mr. Daniel.

Resolved, That the Senate now proceed to elect a third clerk to the Senate.

Whereupon,

The Senate proceeded to elect a third clerk; and upon counting the votes given, it appeared that William W. Wick was duly elected; who was sworn into office.

Ordered, That mr. New inform the House of Representatives thereof.

On motion by mr. Harrison—

Ordered, That the military committee, to whom was referred so much of the Governor's message as relates to the arms furnished, be discharged from a further consideration thereof.

On motion by mr. Harrison—

Ordered, That the select committee to whom was referred the expediency of repealing so much of the present law as authorises the appointment of a prosecuting attorney in the different counties, and of providing by law for the appointment of an Attorney General for each judicial district

within this state, be discharged from a further consideration thereof.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President,

The House of Representatives have passed the engrossed joint resolution entitled "a joint resolution on the subject of public lands lying within the Terre Haute Land District;" which originated in the Senate, without amendment.

A message from the Governor, by Mr. Moore, his private secretary.

Mr. President,

I am instructed by his Excellency the Governor, to announce to the Senate, that he did on yesterday approve and sign "a joint resolution on the subject of education," which originated in the Senate.

And he withdrew.

On motion by Mr. Sholts—

Resolved, That the committee on state roads be instructed to enquire into the expediency of having reviewed, laid out and located, a permanent road, to commence where the state road now ends, at Hindostan, and to run thence in the nearest direction and on the best ground, by Washington, the seat of justice of Daviss county, and by Hawkins' ferry, on the west fork of White River, to Vincennes.

Mr. Cotton, from the committee on elections, to whom was referred the credentials of John Conner, a senator from the counties of Fayette and Union, and William B. Laughlin, a senator from

the county of Franklin, reported that the said committee had had the said credentials under consideration, and find them duly elected and entitled to their seats.

On motion—

Ordered, That the Senate concur in said report.

Mr. Laughlin presented the petition of the Brookville Methodist Episcopal Church, praying to be incorporated; which was read—And,

On motion by Mr. Laughlin—

Ordered, That the same be referred to a select committee, with leave to report thereon by bill or otherwise. And,

Thereupon,

Messrs. Laughlin, Conner and Graham were appointed that committee.

Mr. Harrison from the committee to whom was referred so much of the Governors Message as relates to an additional compensation to the Adjutant General now reported as follows, viz. "that the committee have had the subject under consideration and from the increasing duties incumbent upon that officer growing out of the increased number of the Militia, together with the increased number of resignations of militia officers, the Committee are of opinion that an additional allowance should be made him. The committee therefore conclude by recommending the adoption of the following resolution, to wit.

Resolved, That the Military committee be instructed to report a Bill providing for an additional compensation of fifty dollars per annum to the adjutant General of this state, in consideration of the increased services required to

be performed by that officer. And on the question being put shall the Resolution be adopted.

And the yeas and nays being required by two members.

Those who voted in the affirmative were,

Messrs. Bartholomew, Blake, Harrison, Slaughter and Sholts. 5

And those in the negative were,

Messrs. Bennett, Clark, Conner, Cotton, Graham, Daniel, Gregory and Laughlin. 8

And so the resolution was not adopted.

Mr. Harrison obtained leave of absence till Monday next.

Mr. Gregory obtained leave of absence till to-morrow 12 o'clock.

The engrossed bill from the House of Representatives, entitled "an act for the relief of Jeremiah Lockwood," was read the third time to-day—And,

Resolved, That the same pass as amended.

Ordered, That Mr. New inform the House of Representatives thereof, and request their concurrence in said amendment.

The engrossed bill, authorising the associate judges to appoint a clerk pro tem. in certain cases, was read a third time to-day—And,

Resolved, That the same pass, and that the title thereof be "an act authorising the associate judges to appoint a clerk pro tem. in certain cases.

Ordered, That Mr. New inform the House of Representatives thereof, and request their concurrence therein.

On motion by Mr. Graham—

Resolved, That the public printer be instructed to print three hundred copies of the Journals of the Senate, at their present session, and that the Secretary furnish said printer with a copy of the Journals, for that purpose.

The engrossed bill relative to costs and fee bills in this state, was read a third time—And,

Resolved, That the same pass, and that the title thereof be “an act relative to costs and fee bills.”

Ordered, That Mr. New inform the House of Representatives thereof and request their concurrence therein.

The Senate, according to order, resolved themselves into a committee of the whole, on the bill authorising the Supreme Court of Judicature to appoint a marshal, &c. Mr. Conner in the chair; and after some time spent therein, the committee rose, and leave was granted to sit again.

The bill supplementary to an act, authorising Rebecca Beth and Fielding M. Bradford to sell and convey certain lots, &c. was read a second time to-day—And,

On motion,

Ordered, That the same be engrossed for a third reading on to-morrow.

On motion,

Ordered, That the Senate adjourn until this afternoon, 2 o'clock.

Friday afternoon, 2 o'clock, Nov. 30, 1821.

The Senate assembled pursuant to adjournment.

On motion by Mr. Bartholomew,

Resolved, That the committee on state roads be instructed to enquire into the expediency of establishing a permanent road from the town of Jeffersonville, Clark county, to New-Providence, in said county; thence the nearest and best way to intersect the road from Salem to Brownstown, at John Horner's, in Washington county.

On motion by Mr. Slaughter—

Resolved, That the committee on state roads be directed to enquire into the expediency of locating and marking out a road from New-Albany, in Floyd county, to Corydon, in Harrison county; thence to the seat of justice in Crawford county; thence the nearest and best way to Princeton.

On motion by Mr. Gray—

Resolved, That a select committee be appointed, to take into consideration the propriety of electing justices of the peace in their respective townships, on some day prior to the first day of August.

Whereupon,

Messrs. Gray, Cotton, Laughlin and Clark, were appointed that committee.

Mr. Blake gave notice, that on to-morrow he would ask leave to introduce a bill, to legalize the election held in Sullivan county, on the first Monday of September last, for trustees of the County Library of said county, and for other purposes.

On motion by Mr. Clark—

Resolved, That the committee on state roads be instructed to enquire into the necessity and propriety of appointing commissioners to view and lay out a road from New Albany, in Floyd county, to Salem, in Washington county.

On motion by Mr. Slaughter—

Resolved, That a select committee be appointed, to enquire into the expediency of introducing a bill amendatory to an act entitled "an act supplementary to an act entitled an act subjecting real and personal estates to execution.— Approved January 6th, 1821.

Mr. Blake, from the committee heretofore appointed on that subject, now reported a bill relating to the navigation of the Wabash river; which was read—And,

On motion,

Ordered, That the same pass to a second reading on to-morrow.

On motion,

Ordered, That the Senate adjourn until to-morrow morning at 9 o'clock.

Saturday Morning, 9 o'clock, Dec. 1, 1821.

Senate assembled pursuant to adjournment.

Mr. Blake from the committee for enrolled bills reported, they had compared and found truly enrolled, the engrossed bill entitled, "An act to appropriate money for the payment of the public debt,"—And,

A joint resolution on the subject of public lands lying within the Terre Haute land district.

On motion by Mr. Conner—

Resolved, That the committee on state roads be instructed, to enquire into the expediency of laying out and locating, a road from Lawrenceburgh to Connersville, by Tanner's creek and Brookville.

A message from the House of Representatives, by Mr. Lane a member.

Mr. President,

The Speaker of the House of Representatives having on this day signed,

"An act to appropriate money for the payment of the public debt:"

"A joint resolution for the benefit of the public printer"—And

"A joint resolution on the subject of the public lands, lying within the Terre Haute land district," I am instructed to lay the same before the Senate for the signature of their President.

The President having signed the same, they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

On motion by Mr. Graham—

Resolved, That the rules of the Senate be so amended, that when any bill or joint resolution, shall have passed the Senate, it shall be the duty

of the secretary, to perfect the title thereof, under the direction of the President, without any motion being made for that purpose.

Mr. Slaughter now presented the petition of Henry Warfuld and others, praying the establishment of a state road from Fredonia to Indianapolis, and from the horse-shoe bend to Hindostan and Terre Haute.

Which was read—And,

On motion by Mr. Slaughter—

Ordered, That the same be referred to the committee on state roads.

The bill relating to the navigation of the Wabash river, was read the second time to-day—And
On motion—

Ordered, That the same be referred to a committee of the whole, and made the order of the day for Monday next.

The engrossed bill supplementary to an act authorising Rebecca Heth and Fielding M. Bradford, administrators of Hervey Heth, deceased, to sell and convey certain lots, &c. was read the 3d time.

Resolved, That the same pass, and that the title thereof be "an act supplementary to an act authorising Rebecca Heth and Fielding M. Bradford, administrators of Hervey Heth, deceased, to sell and convey certain lots, &c."

Ordered, That Mr. Slaughter inform the House of Representatives thereof, and request their concurrence therein.

The bill repealing the act now in force, authorising the Governor to appoint Justices of the Peace at Indianapolis, was read the second time to-day—And,

On motion,

Ordered, That the same be engrossed for a third reading on Monday next.

On motion,

Ordered, That the Senate adjourn until Monday morning, 9 o'clock.

MONDAY MORNING, 9 o'clock, Dec. 3, 1821.

The Senate assembled pursuant to adjournment.

The Honorable Patrick Baird, Senator from the county of Wayne, now appeared and took his seat.

Mr. Cotton now gave notice, that he would on some succeeding day of the present session, ask leave to introduce a bill to amend the law now in force in this state, authorising the Circuit Court to grant divorces,

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed an

engrossed bill entitled an act to amend the act prescribing the mode of changing the venue; approved Dec. 1st, 1818—in which they request the concurrence of the Senate. They have also passed an engrossed bill, which originated in the Senate, entitled “an act supplementary to an act entitled an act for the formation of a new county north of Vigo county. They have also elected Godfrey H. Belding an additional assistant clerk to the House of Representatives, who has been duly qualified as such.

And he withdrew.

The engrossed bill from the House of Representatives, entitled “an act to amend the act prescribing the mode of changing the venue; approved Dec. 31st, 1821—was read the first time to-day—And,

On motion,

Ordered, That the same pass to a second reading on to-morrow.

Mr. Graham now gave notice, that he would on to-morrow, or some subsequent day of the present session, ask leave to introduce a joint resolution on the subject of the national road, and also a bill to amend the act regulating the jurisdiction and duties of Justices of the Peace.

Mr. Graham, from the committee heretofore appointed on that subject, now reported a bill concerning lands granted for the use of salt springs, which was read—And,

On motion—

Ordered, That the same be read a second time on to-morrow.

The engrossed bill, repealing the act now in force; authorising the Governor to appoint Justices of the Peace at Indianapolis, was read the 3d time to-day.—And,

On motion,

Resolved, That the same pass, and that the title thereof be, “an act repealing the act now in force, authorising the Governor to appoint Justices of the Peace at Indianapolis.

Ordered, That Mr. Cotton inform the House of Representatives thereof, and request their concurrence therein.

The bill for the formation of a new county out of the counties of Delaware and Wabash, was read the second time to-day.—And,

On motion—

Ordered, That the same be committed to a committee of the whole and made the order of the day for Wednesday next.

The bill requiring public officers to give new bond and security or securities, when the original shall remove, become insolvent or insufficient, was read the second time to-day—And,

On motion—

ORDERED, That the same be committed to a committee of the whole and made the order of this afternoon.

The engrossed bill from the House of Representatives, entitled "an act to divorce Peggy Harnis from her husband, Michael Harnis, was read the second time to-day—And,

On motion—

ORDERED, That the same be committed to a committee of the whole and made the order of the day for to-morrow.

The bill relating to the navigation of the Wabash river, was according to order taken up in committee of the whole, Mr. Sholts in the chair—and after some time spent therein, the committee rose, and Mr. President resumed the chair and reported the bill to the Senate, with an amendment.

On motion—

The senate concurred in said amendment—
And,

On motion—

ORDERED, That the same be engrossed for a third reading on Wednesday next.

Mr. Blake, from the committee for enrolled bills, reported that they did on Saturday last,

present to his Excellency the Governor, for his approval and signature, "a joint resolution on the subject of public lands lying within the Terre Haute land district."

On motion by Mr. Harrison—

The Senate again resolved themselves into a committee of the whole, on the joint resolution for the relief of Elias P. Fordham—Mr. Clark in the chair; and after some time spent therein, the committee rose, and Mr. President reported the same without amendment.

Mr. Cotton moved to strike out the resolution from its resolving clause—which resolution was lost.

On motion—

ORDERED, That the same be engrossed for a third reading on to-morrow.

On motion—

ORDERED, That the Senate adjourn until this afternoon, 2 o'clock.

MONDAY AFTERNOON, 2 o'clock, Dec. 4, 1821.

The Senate assembled pursuant to adjournment.

On motion by Mr. Bartholomew,

Resolved, That the committee on state roads be instructed to enquire into the expediency of altering the road leading from New Albany, in Floyd

county, to Hindostan, in Martin county, so as to make it pass through Greenville, in Floyd county, and that they report by bill or otherwise.

Mr. Conner gave notice, that he would on some subsequent day of the present session, ask leave to introduce a bill legalizing the proceedings of the Connersville Library Association.

On motion—

The Senate now, according to order, resolved themselves into a committee of the whole, on the bill requiring public officers to give new bond and security or securities, when the original shall remove, become insolvent or insufficient—Mr. Gregory in the chair; and after some time spent therein, the committee rose, and the President reported the bill to the Senate, with sundry amendments.

On motion,

RESOLVED, That the said amendment be concurred in.

On motion,

Ordered, That the same be engrossed for a third reading to-morrow.

On motion by Mr. Blake—

The resolution heretofore introduced by him, and laid on the table, and which reads as follows, to wit: "RESOLVED, That the Senate now proceed to establish the classes of its members, pur-

suant to the 5th section of the 3d article of the Constitution of this state," was ordered to be considered—And,

RESOLVED, That the same be adopted.

On motion by Mr. Slaughter—

RESOLVED, That the member from the Sullivan Senatorial District, the member from the Jefferson Senatorial District, the member from the Jackson Senatorial District, and the member from the Fayette Senatorial District, do now proceed to a ballot, in the presence of the Senate, for their respective classes in the same; and the member from the Spencer Senatorial District, being absent, RESOLVED, That the Secretary ballot for him.

Whereupon,

A ballot was gone into; when it appeared that the ballot stood as follows, viz: Mr. Blake, the member from the Sullivan Senatorial District, and Mr. Conner, the member from the Fayette Senatorial District, each drew the first class;—Mr. Clark, a member from the Washington Senatorial District, and Mr. Bennett, a member from the Jefferson Senatorial District, each drew the second class;—and Mr. Graham, a member from the Jackson Senatorial District, and the Secretary, for Mr. Grass, the member from the Spencer Senatorial District (who was absent) each drew the third class.

A message from the House of Representatives,
by Mr. Tipton, a member.

Mr. President,

The House of Representatives have adopted a joint resolution, changing the place of holding the election in Harrison township, Harrison county, in which they request the concurrence of the Senate.

And he withdrew.

The said resolution was read the first and second times by consent—And was,

On motion by Mr. Daniel—

Amended by adding the following words at the end of the resolution, to wit: "this resolution to take effect and be in force from and after its passage."

The resolution was then read a third time, by consent—And,

RESOLVED, That the same be adopted.

Ordered, That Mr. Slaughter inform the House of Representatives thereof, and request their concurrence therein.

A message from the House of Representatives,
by Mr. Prince, a member.

Mr. President—

The House of Representatives have passed an

engrossed bill, entitled An act organizing Circuit Courts, and for other purposes—approved Dec. 21, 1818; in which they request the concurrence of the Senate.

The said engrossed bill was read the first time.

On motion,

Ordered, That the same be read a second time on to-morrow.

Mr. Gregory now presented the following petitions, which were severally read and ordered to be referred to a select committee, consisting of messrs. Gregory, Sholts and Bartholomew, viz:

The petition of James maxwell and William G. Berry, praying that James maxwell might be authorised to lay out money belonging to the heirs of Hecky, in lands.

The petition of the heirs of Joseph maxwell, praying that his widow, Hannah maxwell, might be authorised to sell a certain tract of land therein mentioned, belonging to the heirs of the said maxwell—And,

The petition of William G. Berry and others, praying that Polly Jenkins may be divorced from her husband, Josiah Jenkins.

On motion—

ORDERED, That the Senate adjourn until to-morrow morning 9 o'clock.

TUESDAY MORNING, 9 o'clock, Dec. 4, 1821.

Senate assembled pursuant to adjournment.

Mr. Graham now, according to previous notice, asked for and obtained leave to introduce a joint resolution on the subject of the national road; which was read—And,

On motion—

ORDERED, That the same pass to a second reading on to-morrow.

On motion by Mr. Harrison—

RESOLVED, That the Secretary of State be requested to lay before the House a statement of the votes returned to his office, pursuant to a joint resolution of the General Assembly, on the subject of voting—approved Dec. 23d, 1820

The engrossed bill, requiring public officers to give new bond with security or securities, when the original shall remove, become insolvent or insufficient, was read the 3d time to-day—And,

RESOLVED, That the same pass, and that the title thereof be, "an act requiring public officers to give new bond and security or securities, when the original shall remove, become insolvent or insufficient."

ORDERED, That Mr. Harrison inform the House of Representatives thereof, and request their concurrence therein.

The engrossed joint resolution for the relief of Elias P. Fordham, was read the third time now—And,

RESOLVED, That the same pass, and that the title thereof be "a joint resolution for the relief of Elias P. Fordham."

ORDERED, That Mr. Harrison inform the House of Representatives thereof, and request their concurrence therein.

Mr. Gregory, from the select committee heretofore appointed on that subject, reported a bill divorcing Polly Jenkins from her husband, Josiah Jenkins, which was read—And,

On motion—

ORDERED, That the same pass to a second reading on to-morrow.

Mr. Daniel now asked for and obtained leave, by common consent, to introduce a bill to improve the navigation of White River, which was read—And,

On motion—

ORDERED, that the same pass to a second reading on to-morrow.

On motion—

The Senate now, according to order, resolved themselves into a committee of the whole, on the

bill to provide for the speedy collection of debts contracted after the first day of June next; Mr. Baird in the chair; and after some time spent therein, the committee rose, and leave was asked to sit again; which was refused—And,

On motion by Mr. Daniel—

ORDERED, that the same be recommitted to a select committee, with leave to report thereon.

And Messrs. Harrison, Daniel and Conner were appointed that committee.

Mr. Graham now obtained leave to introduce a joint resolution on the subject of a special deposit in the Corydon Branch Bank; which was by common consent read the 1st and 2d times, And,

On motion—

ORDERED, that the same be referred to a committee of the whole and made the order of the day for this day, And,

On motion—

The Senate, according to order, resolved itself into a committee of the whole, on the said joint resolution; Mr. Conner in the chair; and after some time spent therein, the committee rose and reported progress—And,

On motion—

ORDERED, that the committee have leave to sit again.

The bill concerning lands granted for the use of salt springs, was read the second time to-day, And,

On motion—

ORDERED, that the same be committed to a committee of the whole, and made the order of the day for to-morrow.

A message from the House of Representatives, by Mr. Ross, their clerk.

Mr. President—

The House of Representatives have concurred in the amendments made by the Senate, to the engrossed joint resolution changing the place of holding the election in Harrison township, in the county of Harrison, which originated in the House of Representatives.

And then he withdrew.

A message from the Governor, by H. H. Moore, his private secretary.

Mr. President—

I am directed by the Governor, to announce to the Senate that he did on Saturday last approve and sign "a joint resolution on the subject of public lands lying within the Terre Haute land district, which originated in the Senate.

And he withdrew.

On motion—

ORDERED, that the Senate adjourn until this afternoon, 3 o'clock.

Tuesday afternoon, 3 o'clock, Dec. 4, 1821.

The Senate assembled pursuant to adjournment.

On motion,

The Senate now, according to order, resolved themselves into a committee of the whole, on the engrossed bill from the House of Representatives, entitled an act divorcing Peggy Harnis from her husband, Michael Harnis; Mr. Gray in the chair—and after some time spent therein, the committee rose, and the president reported the same to the Senate, without amendment.

On motion—

Ordered, That the same be read a third time to-day.

The bill from the House of Representatives, entitled "an act supplementary to an act organizing Circuit Courts, and for other purposes," Approved Dec. 24th, 1818; was read the second time to-day—And,

On motion—

Ordered, That the same pass to a third reading on to-day.

The engrossed bill from the House of Representatives, entitled an act to amend an act entitled an act prescribing the mode of changing the venue, approved Dec. 31st, 1818; was read the second time to-day—And,

On motion—

Ordered, That the same be referred to a committee of the whole, and made the order of the day for to-morrow.

On motion,

The Senate again resumed, in committee of the whole, the consideration of the joint resolution on the subject of a special deposit in the Corydon Branch Bank; Mr. Conner in the chair—and after some time spent therein, the committee rose, and the president reported, with an amendment.

On motion,

The Senate concurred in the said amendment.

Mr. Daniel moved to strike the same out from the resolving clause, and the yeas and nays being demanded by two members, those who voted in the affirmative were Messrs. Bartholomew, Conner, Daniel, Gray and Harrison; and those in the negative were Messrs. Baird, Bennett, Blake, Clark, Cotton, Graham, Gregory, Laughlin, Sholts and Slaughter.

And so the resolution was not stricken out.

On motion—

Ordered, That the same be engrossed for a third reading to-day.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill, entitled "an act supplementary to an act authorising

Rebecca Heth and Fielding M. Bradford, administrators of Henry Heth, deceased, to sell and convey certain lots," &c. and an engrossed bill entitled "an act authorising the associate judges to appoint clerks pro tem. in certain cases;" both which originated in the Senate, without amendment.

They have also passed an engrossed bill, entitled "an act for the relief of James Besse and John Easbarn;" an engrossed bill entitled "an act to dissolve the bands of matrimony between Josephus Collett and Elizabeth Tiffin," and an engrossed joint resolution, confirming the line between the states of Indiana and Illinois," which originated in the House of Representatives; to which last mentioned bills and joint resolution they request the concurrence of the Senate.

And he withdrew.

The said two last mentioned bills and joint resolution, were successively read, and were severally ordered to a second reading on to-morrow.

On motion—

The Senate proceeded to consider the bill to abolish the office of county commissioner, the office of county treasurer, and for the general retrenchment of county expenditures;—
And—

On motion of Mr. Harrison—

Ordered, That the said bill be committed to a committee of the whole house and made the order of the day for this day.

Whereupon,

The Senate according to order resolved themselves into a committee of the whole in the said last mentioned bill—
Mr. Baird in the chair—and after some time spent therein the committee rose, and leave was granted to sit again.

On motion,

The Senate again resumed in committee of the whole, the consideration of the bill authorising the Supreme Court to appoint a marshal, &c. Mr. Conner in the chair—and after some time spent therein, the committee rose and the president reported the bill to the Senate with an amendment by striking it out from the enacting clause.

On motion—

The Senate concurred in the said amendment.

On motion by Mr. Slaughter—

Ordered, That the said bill be recommitted to a select committee, with leave to report thereon.

Whereupon,

Messrs. Slaughter, Daniel and Blake, were appointed that committee.

The engrossed joint resolution on the subject of a special deposit in the Corydon Branch Bank, was read the third time—And,

Mr. Slaughter moved to postpone the said resolution indefinitely, which was decided in the negative. And so the resolution was not indefinitely postponed.

On motion,

Ordered, That the Senate adjourn until 9 o'clock to-morrow morning.

WEDNESDAY MORNING, Dec. 5. 1821—9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Harrison, from the select committee to whom was recommitted the bill to provide for the speedy collection of

debts contracted after the first day of June next, now reported the original bill with an amendment, which amendment was explained—And,

On motion by Mr. Harrison—

Resolved, That the amendment as reported be concurred in.

On motion by Mr. Harrison—

Ordered, That the bill be recommitted to a committee of the whole and made the order of the day for this day.

Mr. Gregory submitted the following resolution, viz :

Resolved, That the committee on the Judiciary be instructed to draft and report a bill preventing the sale of any property real and personal, on execution issuing out of any of the courts within this state, for less than two thirds the value thereof.

Mr. Graham moved so to amend the said resolution as that the committee should be instructed to enquire into the expediency of drafting such a bill, &c. but by consent withdrew the amendment.

Mr. Shotts moved to strike out the words "two thirds," and insert the words "one half," which was lost.

The question being put on the original resolution, and the yeas and nays being required by two members, those who voted in the affirmative were Messrs. Bennett, Conner, Gregory, Laughlin and Shotts—5; and those in the negative were Messrs. Baird, Bartholomew, Blake, Clark, Cotton, Daniel, Graham, Gray, Harrison and Slaughter—10.

And so the resolution was not adopted.

The following communication from the Secretary of State was laid before the Senate by the President, to wit :

SECRETARY'S OFFICE, Dec. 5, 1821.

To the Hon. the President of the Senate.

SIR—

In conformity to a resolution of your honorable body, I herewith transmit a transcript from the returns made to this office from such counties as have made returns expressive of their wishes on the subject of voting by ballot or viva voce.

Very respectfully,

Y^r ob^t serv^t,

R. A. NEW.

On motion by Mr. Cotton—

Ordered, That the said communication and documents accompanying lie on the table.

The engrossed joint resolution on the subject of a special deposit in the Corydon Branch Bank, was,

On motion by Mr. Graham—

Ordered to be recommitted to a select committee, with leave to report thereon.

Whereupon,

Messrs. Graham, Blake, Cotton and Clark, were appointed that committee.

The engrossed bill from the House of Representatives, entitled An act supplementary to an act organizing Circuit Courts, approved Dec. 21th, 1818, was read the third time to day—And,

Resolved, That the same pass.

Ordered, That Mr. New inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, entitled An act to divorce Peggy Harness from her husband Michael Harness, was by consent amended in the title, and according to order read the third time to-day.—And,

Resolved, That the same pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof, and request their concurrence in said amendment.

The bill for the formation of a new county out of the counties of Delaware and Wabash was now according to order taken up in committee of the whole. Mr. Graham in the chair, and after some time spent therein the committee rose and Mr. President reported the bill to the Senate without amendment.

On motion,

Ordered, That the same be recommitted to the committee of propositions and grievances, to report thereon.

The Senate now according to order resolved themselves into a committee of the whole on the engrossed bill from the House of Representatives, entitled An act to amend the act prescribing the mode of changing the venue, approved Dec. 31st, 1812. Mr. Slaughter in the chair, and after some time spent therein the committee rose and Mr. President reported the same to the Senate without amendment.

On motion—

Ordered, That the same be read a third time on to-morrow.

The Senate now according to order resolved themselves into a committee of the whole on the bill concerning lands granted for the use of salt springs, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose

and the President reported the same to the Senate without amendment.

On motion—

Ordered, That the same be engrossed for a third reading on to-morrow.

The bill providing for the improvement of the navigation of the two White rivers, was read a second time to-day.—And

On motion—

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

The engrossed joint resolution from the House of Representatives, confirming the line between the states of Indiana and Illinois, was read the second time to day.—And

On motion—

Ordered, That the same be read a third time to-morrow.

The engrossed bill from the House of Representatives entitled an act for the relief of James Besse and John Eastburn, was read the second time to-day.

On motion—

Ordered, That the same be committed to a committee of the whole, and made the order of the day for this-day.

The engrossed bill from the House of Representatives entitled an act to dissolve the bands of matrimony between Josephus Collett and Elizabeth Tiffin, was read a second and third time now, (two thirds of the Senate concurring.)—And

Resolved, That the same pass.

Ordered, That Mr. Blake inform the House of Representatives thereof.

The engrossed bill relative to the navigation of the Wabash river, was read a third time now—And

Resolved, That the same pass and that the title thereof be "an act relating to the navigation of the river Wabash."

Ordered, That Mr. Blake inform the House of Representatives thereof, and request their concurrence therein.

The bill divorcing Polly Jenkins from her husband Josiah Jenkins, was read the second time to-day.—And

On motion,

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

The joint resolution on the subject of the national road, was read a second time to-day.—And

On motion,

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

On motion,

Ordered, That the Senate adjourn until this afternoon two o'clock.

WEDNESDAY AFTERNOON, Dec. 5, 1821.

The Senate assembled pursuant to adjournment.

Mr. Slaughter gave notice that he would on to-morrow or some subsequent day of the present session, ask leave to introduce a bill regulating the mode of voting.

The committee on the subject of education, appointed by a resolution of the last General Assembly now submitted a report—Which was read.

On motion by Mr. Daniel—

Ordered, That three hundred copies of said report be printed for the use of the Senate and that the Secretary hand the report to the printer of the Indiana Gazette for that purpose.

The Senate again resumed in committee of the whole, the consideration of the bill amendatory to the act entitled an act authorising the granting of letters testamentary, and letters of administration for the settlement of intestates and for other purposes; Mr. Cotton in the chair, and after some time spent therein, the committee rose and the President reported the bill to the Senate with an amendment, in which he asked concurrence of the Senate.

On motion,

The said amendment was concurred in.

On motion—

Ordered, That the same be engrossed for a third reading to-morrow.

Mr. Gregory from the select committee to whom was referred the petition of the heirs of Heckey, now reported a bill to authorise the guardians of the infant heirs of Henry Heckey deceased, to lay out certain monies. Which was read—And

On motion,

Ordered, That the same pass to a second reading on to-morrow.

On motion—

The Senate again resumed in committee of the whole, the consideration of the bill to provide for the speedy collection of debts contracted after the 1st day of June next; Mr. Gre-

ham in the chair, and after some time spent therein, the committee rose and leave was granted to sit again.

Mr. Baird was added to the committee on the three per cent. fund.

Mr. Bartholomew was added to the committee of propositions and grievances.

On motion—

Ordered, That the Senate adjourn until to-morrow morning nine o'clock.

THURSDAY MORNING, Dec. 6th, 1821.

The Senate assembled pursuant to adjournment.

Mr. Graham from the committee to whom was recommit-
ted the joint resolution on the subject of a special deposit in
the Corydon branch bank, now reported the original resolu-
tion with an amendment, which amendment was explain-
ed—And

On motion—

Ordered, That the Senate concur therein.

On motion—

Ordered, That the same be engrossed and read a third
time on this day.

The engrossed joint resolution from the House of Repre-
sentatives, confirming the line between the states of Indiana
and Illinois, was read the third time to-day—And

Resolved, That the same pass.

Ordered, That Mr. New inform the House of Representa-
tives.

The engrossed bill concerning lands granted for the use
of salt springs, was read the third time to-day—And

On motion—

Resolved, That the same pass, and that the title thereof
be an act concerning lands granted for the use of salt springs.

Ordered, That Mr. New inform the House of Representa-
tives thereof, and request their concurrence therein.

On motion by Mr. Graham—

Resolved, That no joint resolution shall be amended on
the third reading, by way of reder or erasure, but may
be recommit-
ted at any time before its passage.

Mr. Graham submitted the following resolution viz :

Resolved, That a committee be appointed with instruc-
tions to draft and report a bill changing the method of vot-
ing to *viva voce*, and the yeas and nays being demanded by
two members.

Those who voted in the affirmative were, Messrs. Bar-
tholomew, Bennett, Daniel, Graham, Gregory, Harrison
and Slaughter 7.

And those in the negative were, Messrs. Baird, Blake,
Conner, Clark, Cotton, Gray, Laughlin and Sholts 8.

And so the resolution was not adopted.

Mr. Gregory from the committee of propositions and
grievances, to whom was referred the bill for the formation
of a new county out of the counties of Delaware and Wabash
now reported the original bill with an amendment. Which
was explained.

Mr. Gregory moved to concur in said amendment, which motion was negatived.

And so the amendment was not concurred in.

On motion by Mr. Gregory—

Ordered, That the said bill be recommitted to the same committee for propositions and grievances with instructions to lay off the whole of the country called the New Purchase into counties.

On motion by Mr. Blake—

Resolved, That the Senate do now form themselves into a court of impeachment for the trial of Curtis Gilbert, Esq. clerk of Vigo Circuit court; and that the House of Representatives be informed thereof.

The said court of impeachment formed themselves pursuant to the above resolution, and adjourned until Monday morning next 10 o'clock, and the Senate again resumed their Senatorial character.

On motion by Mr. Cotton—

Resolved, That the Senate reconsider their vote upon the indefinite postponement of the joint resolution appropriating a sum of money for certain purposes therein specified, which originated in the House of Representatives. And on the question, Shall the resolution be indefinitely postponed? It was decided in the negative.

On motion,

Ordered, That the same be read a third time now.

The said resolution was amended by consent by adding these words: "This resolution to take effect and be in force from and after its passage."

The said resolution was read a third time—And

Resolved, That the same be adopted.

Ordered, That Mr. New inform the House of Representatives thereof, and request their concurrence in the said amendment.

Mr. Graham from the joint committee for enrolled bills, reported that they had compared and found truly enrolled the bills entitled as follows viz: An act for the relief of Jeremiah Lockwood.

An act to divorce Peggy Harness from her husband, Michael Harness.

An act supplementary to an act entitled an act for the formation of a new county north of Vigo county.

An act authorising the associate judges to appoint a clerk pro tem in certain cases—And

A joint resolution changing the place of holding the election in the township of Harrison in Harrison county.

A message from the House of Representatives by Mr. Ross, their clerk announcing that the Speaker of the House of Representatives had signed the last mentioned acts and joint resolution and requesting the signature of the President thereto.

The President having signed the same they were severally handed to the committee for enrolled bills to be presented to the governor for his approval and signature.

On motion—

Ordered, That the Senate adjourn until this afternoon at two o'clock.

THURSDAY AFTERNOON, Dec. 6th, 1821. 2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Daniel presented the petition of Thomas C. Stewart, agent of Pike county praying relief. Which was read—And

On motion—

Ordered, That the same be referred to a select committee, with leave to report thereon.

Whereupon,

Messrs. Daniel, Baird and Bartholomew were appointed a committee.

Mr. Bartholomew now presented the petition of Stephen Ranney and others, praying that the borough of Jeffersonville might be allowed the privilege of the state prison, to secure certain culprits &c. Which was read—And

On motion,

Ordered, That the same be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Bartholomew, Cotton & Bennet, were appointed that committee.

On motion—

The Senate again resumed in committee of the whole the consideration of the bill to abolish the board of county commissioners, the office of county treasurer and for the general retrenchment of county expenditure; Mr. Baird in the chair, and after some time spent in the consideration thereof, the committee rose and reported the same to the Senate with an amendment thereto.

Mr. Graham moved to concur in the amendment made in committee of the whole, which amendment was made by striking out all that part of the bill which relates to abolishing the board of county commissioners and vesting their power and duty in justices of the peace; and on the question the yeas and nays being required by two members—

Those who voted in the affirmative were, Messrs. Bartholomew, Blake, Clark, Cotton, Conner, Gray, Graham, Laughlin and Sholts 9.

And those in the negative were, Messrs. Baird, Bennett, Daniel, Gregory, Harrison and Slaughter 6.

And so the amendment was concurred in.

On motion by Mr. Harrison—

The bill was stricken out except the 1st, 2d, & 3d sections, and the title was amended so that the same shall be "A bill for the retrenchment of county expenditure."

Mr. Graham moved to amend the said bill by adding the following as a 4th section:

"The county commissioners shall receive one dollar and fifty cents per day each, and no more for every day they may be engaged in doing county business."

Mr. Gregory moved to strike out "one dollar and fifty cents," and insert one "dollar" in the said 4th section; and the yeas and nays being required by two members—

Those who voted in the affirmative were Messrs. Daniel, Clark and Gregory 3.

And those in the negative were, Messrs. Baird, Bartholomew, Bennett, Conner, Cotton, Gray, Graham, Harrison, Laughlin, Slaughter and Sholts 12.

And so the amendment to the amendment was rejected.

Mr. Slaughter moved to amend said amendment by striking out of said 4th section, the words "one dollar and fifty cents," and inserting in lieu thereof the words "three dollars," and the yeas and nays being demanded by two members.—Mr. Slaughter voted in the affirmative.

And those who voted in the negative were, Messrs. Baird, Bartholomew, Bennett, Blake, Clarke, Cotton, Conner, Daniel, Gray, Gregory, Graham, Harrison, Laughlin and Sholts.

And so the amendment to the amendment was rejected.

And the said amendment as proposed by Mr. Graham, was adopted.

Mr. Gregory moved to recommit the bill to a select committee. Which motion was negatived.

Mr. Slaughter moved to postpone the further consideration of said bill indefinitely, and the yeas and nays being required by two members—

Those who voted in the affirmative were, Messrs. Blake, Cotton, Conner, Gray and Slaughter.

And those in the negative were, Messrs. Baird, Bartholomew, Bennett, Clark, Daniel, Gregory, Graham, Harrison, Laughlin and Sholts.

And so the bill was not indefinitely postponed.

On motion,

Ordered, That said bill be engrossed for a third reading on to-morrow.

A message from the governor by Mr. Moore, his private secretary.

Mr. President—

I am directed by his Excellency the governor to present to you two communications in writing.

And he withdrew.

Which said communications in writing were read and are as follows viz :

To the Senate and

House of Representatives.

I submit for the consideration of the General Assembly copies of the representation of the board of managers of the Jeffersonville prison.

JONATHAN JENNINGS.

On motion,

Ordered, That the same be referred to the committee of ways and means with the accompanying documents to consider and report thereon.

To the Senate and

House of Representatives.

If the bonds executed to the Vincennes bank shall have been assigned for the use of the treasury of the United States, the offer of payment which has been required to be made will not it is presumed be accepted, on account of the funds with which the tender of payment will be made, although in the notes of the bank and her branches. Should such a circumstance take place, I have deemed it my duty respectfully to submit to the General Assembly the propriety of making a demand of payment at the branch bank or agencies where their notes are respectively made payable; and upon payment being refused to present them again at the principal bank, with a view to render the claim on the part of the state to a setoff as strong and unexceptionable as it is in her power to render it.

If such a course be not adopted it is believed that the situation of the state in relation to any supposed assignment of these bonds will be left upon doubtful grounds, while if pursued the state will occupy the strongest ground at attainable by having done necessary and avoiding the possibility of subjecting the state to a charge of neglect on her part.

This position is not inconsistent with a pacific and respectful deportment towards the general government, while if the case shall hereafter become a subject of future negotiation, it will be left unshackled with preliminary disquisitions and stand as it should do upon the law and equity which may arise out of the transaction itself. It will in such case be only necessary for the state to shew what has been done upon her part, instead of being subjected by adopting a different course to the uncertainty of proving what the principal bank and its branches may have done.

In a case of so much importance, prudential measures are calculated to shield the state from responsibility that may otherwise accrue, while the additional expenditure which would be requisite, will be only nominal in its amount.

Respectfully,

JONATHAN JENNINGS.

On motion,

Ordered. That the said last mentioned communication be referred to the judiciary committee to consider and report thereon.

The engrossed joint resolution on the subject of a special deposit in the Corydon branch bank was read a third time now, and the yeas and nays being demanded on the passage of the said resolution.

Those who voted in the affirmative were, Messrs. Baird, Bennett, Blake, Cotton, Graham and Sholts 6.

And those who voted in the negative were, Messrs. Bartholomew, Clark, Conner, Daniel, Gray, Gregory, Harrison and Laughlin 8.

And so the resolution did not pass.

Mr. Blake from the joint committee for enrolled bills reported that they did on this day present to his Excellency the governor for his approval and signature, the enrolled bills entitled as follows viz:

An act supplementary to the act entitled an act for the formation of a new county north of Vigo county.—And

An act authorising the associate judges to appoint a clerk protem in certain cases.

Mr. Blake agreeably to previous notice now asked for and obtained leave to introduce a bill legalizing the election of trustees for the county library of Sullivan county, and for other purposes. Which was read—And

On motion,

Ordered. That the same pass to a second reading on to-morrow.

On motion,

Ordered. That the Senate adjourn until to-morrow morning at nine o'clock.

FRIDAY MORNING Dec. 7, 1821—9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Clark from the select committee to whom was referred, the expediency of reducing the fees and allowances

Made to state and county officers, now reported a bill for that purpose. Which was read.

On motion,

Ordered, That the same be read a second time to-day—
And,

The said bill was by consent read the second time to-day—
And

On motion,

Ordered, That the same be committed to a committee of the whole and made the order of the day for to-morrow.

The engrossed bill for the retrenchment of county expenditures was, on motion, ordered to be recommitted to a select committee, with leave to report thereon.

Whereupon,

Messrs. Harrison, Gregory and Daniel, were appointed that committee.

The bill legalizing the election of trustees for the county library in Sullivan county and for other purposes, was read a second time to-day—And

On motion,

Ordered, That the same be committed to a committee of the whole and made the order of the day for to-morrow.

The engrossed bill amendatory to an act entitled an act authorising the granting of letters testamentary and letters of administration for the settlement of intestate estates and for other purposes, was read the third time to-day—And

Resolved, That the same pass, and that the title thereof be "an act amendatory to an act entitled an act authorising

the granting of letters testamentary and letters of administration for the settlement of intestate estates and for other purposes.

Ordered, That Mr. Graham inform the House of Representatives thereof and request their concurrence therein.

Mr. Blake moved to strike out from its enacting clause, the engrossed bill from the House of Representatives entitled an act to amend the act entitled an act prescribing the mode of changing the venue, approved December 1818.

Which was decided in the negative.

The said engrossed bill was then read the third time, and the yeas and nays being demanded by two members on the passage thereof.

Those who voted in the affirmative were,

Messrs. Bennett, Clark, Conner, Daniel, Gregory, Harrison, Slaughter and Sholts—8.

And those in the negative were,

Messrs. Blake, Baird, Bartholomew, Cotton, Gray, Graham and Slaughter—7.

And so the bill passed.

Ordered, That Mr. New inform the House of Representatives thereof.

The Senate according to order, resolved themselves into a committee of the whole on the bill for the navigation of the two White rivers Mr. Cotton in the chair and after some time spent therein the committee rose and the President reported the same to the Senate with an amendment, by striking it out from its enacting clause.

And the Senate concurred in said amendment.

On motion by Mr. Cotton—

Resolved, That the same be indefinitely postponed, and on the question the yeas and nays being demanded by two members.

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Bennett, Clark, Cotton, Conner, Gray, Gregory, Graham and Slaughter—10.

And those in the negative were,

Messrs. Blake, Daniel, Harrison, Slaughter and Sholts—5.

The Senate now, according to order, resolved themselves into a committee of the whole on the joint resolution on the subject of the national road, Mr. Gray in the chair, and after some time spent therein the committee rose and the President reported the same to the Senate with an amendment.

Which amendment was concurred in.

On motion,
Ordered, That the said resolution lie on table.

A message from the House of Representatives by Mr. Johnston of Knox, a member.

Mr. President—

The Speaker of the House of Representatives having signed an engrossed bill entitled an act supplementary to an act authorising Rebecca Heth and Fielding M. Bradford administrators of the estate of Henry Heth, deceased, to sell and convey certain lots, &c. I am instructed to lay the same before the Senate for the signature of their President.

And he withdrew.

Mr. Blake having first reported the said bill truly enrolled, the President signed the same, and it was handed to the committee for enrolled bills, to be presented to the governor for his approval and signature.

A message from the House of Representatives by Mr. Murdock, a member.

M. President—

The House of Representatives have found articles of accusation and impeachment against Aaron Vandever a justice of the peace of Washington county, and have also adopted the following resolution, viz.

Resolved, That the articles of impeachment now reported by the managers on the part of the House, against Aaron Vandever a justice of the peace of Washington county, be and the same are hereby approved, and that the clerk of the House do make out a fair copy thereof, to be signed by the Speaker of the House, which shall be forthwith delivered to the said managers, who in the name of the House and of all good people of the state of Indiana, appear before the Senate and impeach the said Vandever for maladministration in the duties of his office as such justice of the peace, and request of the Senate to take some immediate order thereon.

[The said articles of impeachment were thereupon read and are as follows, viz.

House of Representatives of the state of Indiana.

Articles of impeachment exhibited by the House of Representatives, in the name of themselves and the people of the state of Indiana against Aaron Vandever, a justice of the peace in Posey township in the county of Washington and state aforesaid.

ARTICLE 1st.

That the said Aaron Vandever, then and there being an acting justice of the peace, for Posey township in the county

of Washington and state aforesaid, being duly elected, commissioned and qualified as such justice of the peace for the township, county and state aforesaid, he the said Aaron Vandever living and residing therein, is and has been guilty of maladministration in his said office as justice of the peace, to wit: in the township, county and state aforesaid.

SPECIFICATION 1st.

That the said Aaron Vandever, on the fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at Posey township in the county of Washington and state of Indiana, while acting as such justice, of and under color of his said office, did corruptly and in violation of his duty as such justice, cause to be arrested and brought before him the said Aaron Vandever and one William Royce, by a certain Isaac Edwards a constable in and for the township of Posey in the county and state aforesaid, one Thomas Bentley, and while the said Thomas Bentley was so as aforesaid brought before the said justice of the peace, and under guard and in the presence of him the said Aaron Vandever, he the said Aaron Vandever did cause and procure the said Thomas Bentley to be assaulted and beat by one David Sipes, to wit: in the township, county and state aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the state of Indiana.

SPECIFICATION 2d.

That the said Aaron Vandever justice of the peace as aforesaid, on the fifteenth day of December in the year one thousand eight hundred and twenty, at the township of Posey in the county of Washington and state of Indiana, while acting as such justice, by virtue of and under color of his said office, did wilfully and corruptly aid and abet the unlawful assault and beating of the said Thomas Bentley by the said David Sipes, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the state of Indiana.

SPECIFICATION 3d.

That the said Aaron Vandever justice of the peace as aforesaid, on the fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at Posey township in the county of Washington and state of Indiana, he the said Aaron Vandever by virtue of and under color of his said office on the said fifteenth day of December in the year one thousand eight hundred and twenty, at the township of Posey in the county of Washington and state of Indiana, he the said Aaron Vandever, living and residing therein, did on the said fifteenth day of December, in the year last aforesaid, wilfully and corruptly cause one Thomas Bentley to be arrested on a blank warrant and brought before him the said Aaron Vandever and one William Royce, by one David Edwards then and there being a constable of said township under pretence of his the said Thomas Bentley having been guilty of the breach of some penal law of this state against the will of him the said Thomas Bentley in violation of his duty as justice of the peace, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

SPECIFICATION 4th.

That the said Aaron Vandever on the fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at Posey township in Washington county and state of Indiana, then and still being an acting justice of the peace for the township and county aforesaid in the state aforesaid, did on the day and year aforesaid, at the township and county aforesaid, wilfully and corruptly aid and abet in causing one Thomas Bentley to be arrested on a blank warrant, and brought before him the said Aaron Vandever and one William Royce, a justice of the peace as aforesaid, and under pretence of him the said Thomas Bentley having been guilty of the breach of some penal law of this state, against the will of him the said Thomas Bentley, in violation of his duty as justice of the peace, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

ARTICLE 2d.

That the said Aaron Vandever of Posey township in Washington county and state of Indiana, then and there being an acting justice of the peace, in and for the township, county and state aforesaid, being duly elected, commissioned and qualified as such justice of the peace for the township, county and state aforesaid, and living and resident therein, is and has been guilty of malfeasance in his said office as such justice of the peace, to wit: in the township county and state aforesaid,

SPECIFICATION 1st.

That the said Aaron Vandever being a justice of the peace as aforesaid on the fifteenth day of December, in the year of our Lord one thousand eight hundred and twenty, at Posey township, in the county of Washington and state of Indiana, and then and there resident in said township of Posey, who being called upon by one Thomas Bentley, to interpose his authority as such justice of the peace for the township aforesaid, and prevent one David Sipes from assaulting and beating the said Thomas Bentley, he the said Aaron Vandever being then and there present as such justice of the peace did wholly refuse to interpose his authority as such justice of the peace, and prevent the said Thomas Bentley from being assaulted and beat as aforesaid by the said David Sipes, but he the said Aaron Vandever did absent himself and prevent others who were then and there present and willing to prevent the said Thomas Bentley from being assaulted and beat as aforesaid by the said David Sipes, from doing the same, contrary to his duty as such justice of the peace, in contempt of the laws and against the peace and dignity of the state of Indiana.

SPECIFICATION 2d.

That the said Aaron Vandever being a justice of the peace as aforesaid in the township and county aforesaid, duly elected, commissioned and qualified, as such justice of the peace, wilfully and corruptly did aid, abet, assist and

encourage one David Sipes and others to assault and beat one Thomas Bentley, to wit: in Posey township, in the county and state aforesaid, in violation of his duty as such justice, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

SAMUEL MILROY,

Speaker of the House of Representatives.

On motion,

Ordered, That the Senate adjourn until this afternoon, 2 o'clock.

FRIDAY Afternoon, Dec. 7th, 1821—2 o'clock.

The Senate assembled pursuant to adjournment.

On motion by Mr. Blake—

Resolved, That process against Aaron Vandever, a justice of the peace for Washington county, and subpoenas for witnesses to support the impeachment, be immediately issued by the President of the Senate, returnable instant, in pursuance of the application of the House of Representatives, as this morning communicated—That blank subpoenas be sent the impeached, to be used by him to secure the appearance of his witnesses, and also that the House of Representatives be informed thereof and be requested to transmit immediately to the Senate a list of their managers and of the witnesses to conduct and support the prosecution against the said Vandever.

Ordered, That Mr. Blake inform the House of Representatives thereof.

The bill divorcing Polly Jenkins from her husband Josiah Jenkins, was according to order taken up in committee of the whole, Mr. Baird in the chair, and after some time

and the House of Representatives and the President reported the same to the Senate without amendment.

On motion by Mr. Blake—

The bill was read a third time now by consent—And,
Resolved, That the same pass, and that the title thereof be “An act divorcing Polly Jenkins from her husband, Josiah Jenkins.”

Ordered, That Mr. Gregory inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill from the House of Representatives, entitled “An act for the relief of James Besse and John Eastburn” was read the second time to-day—And,

On motion,

Ordered, That the same be committed to a committee of the whole and made the order of the day for to-morrow.

The bill, authorising the guardians of the infant heirs of Henry Hecker deceased, to lay out certain moneys,” was read a second time to-day—And,

On motion,

Ordered, That the same be engrossed for a third reading on to-morrow.

A bill for the speedy collection of all debts contracted after the first day of June next, was again taken up, and the Senate resumed in committee of the whole the consideration thereof, Mr. Conner in the chair, and after some time spent thereon, the committee rose, and the President reported certain amendments, which were concurred in.

Which amendments were concurred in.

Mr. Harrison moved to strike out “December” and insert “October.”

Which was lost.

Mr. Gregory moved to strike out the bill from its enacting clause, and the yeas and nays being called for by two members, those who voted in the affirmative were Messrs. Baird, Bennett, Cotton, Gray, Gregory, Laughlin and Slaughter 7. And those in the negative were Messrs. Bartholomew, Blake, Conner, Daniel, Graham, Harrison and Shotts—8.

And so the bill was not stricken out.

Mr. Slaughter moved to postpone the further consideration thereof indefinitely, and the yeas and nays being required by two members, those who voted in the affirmative were Messrs. Baird, Bennett, Cotton, Gray, Gregory, Laughlin and Slaughter—7. And those in the negative were Messrs. Bartholomew, Blake, Conner, Daniel, Graham, Harrison and Shotts—8.

And so the bill was not indefinitely postponed.

Mr. Daniel moved to amend the bill by striking out “December” and inserting in lieu thereof, “May.”

Which amendment was adopted.

Mr. Gregory moved to amend the bill by adding the following: “That no person who may contract any debt after the first day of May next shall have any advantage of the laws of this state, to collect the same.”

Which was rejected.

Mr. Gray moved to amend the said bill by adding the following proviso:

“Provided, That no property possessed by debtors at the

taking effect of this law, shall be taken for debts contracted after the taking effect thereof."

Which was rejected.

Mr. Daniel moved to amend the bill by adding the following: "That the sheriffs in their respective counties, shall proclaim this law at the spring term of the Circuit Courts, and that this act shall be published in all the papers in this state."

Which amendment was adopted.

On motion,

Ordered, That the said bill be engrossed for a third reading on to-morrow.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed the following enrolled bills, entitled acts, which originated in the House of Representatives:

An act to encourage domestic manufactures.

An act establishing a permanent system of statute laws in this state.

An act legalizing certain proceedings of the Board of County Commissioners of Vigo county.

An act to continue in force an act entitled an act supplemental to an act locating certain roads therein named and for other purposes, approved January 9th, 1821; in which several bills they request the concurrence of the Senate.

They also concur in the amendment made by the Senate to the engrossed joint resolution, which originated in the House of Representatives, appropriating fifty dollars for purchasing for the use of the Senate and House of Representatives stove pipes.

They have also received official information from his Excellency the governor, by H. H. Moore, his private secretary, that his Excellency did on the 28th Nov. last, approve and sign the enrolled bills entitled as follows, to wit:

An act legalizing the acts and proceedings of the commissioners appointed by the last General Assembly to lay off a town on the site selected as a permanent seat, and to legalize the report and allowances made and signed by Christopher Harrison, one of said commissioners.—And

An act repealing part of a joint resolution concerning the Treasurer of state, approved Dec. 13th, 1830.

And he withdrew.

The said engrossed bill last reported by Mr. Thornton, from the House of Representatives, were severally read the first and second times by consent. And were each

Ordered, To be committed to a committee of the whole and made the order of the day for to-morrow.

Mr. Bartholomew from the committee to whom was referred the petition of Stephen Ranny and others, praying that the privilege of securing certain culprits in the penitentiary may be granted to the borough of Jeffersonville; now reported a bill for that purpose, which was read the first and second times by consent.—And

On motion—

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

On motion—

Ordered, That the Senate adjourn until 9 o'clock to-morrow morning.

SATURDAY MORNING, Dec. 8th, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.
A message from the House of Representatives by Mr. Murdock, a member.

Mr. President—

The House of Representatives have adopted the following resolution, viz.

Resolved, That the Senate be immediately informed that the House of Representatives have appointed Messrs. Murdock, Johnston of Knox, Lane, Prince and Dewey, as managers to prosecute the impeachment against Aaron Vander- ver, a justice of the peace for Washington county, and that the said managers furnish the Senate with the names of witnesses on the part of the government. Mr. Murdock handed to the President the following lists of witnesses to support the impeachment viz: Thomas Bently, John Voiles, John Crockett, Isaac Edwards and James McKinny.

And he withdrew.

The engrossed bill providing for the speedy collection of all debts contracted after the first day of May next, was read the third time to-day—And

Resolved, That the same pass and that the title thereof be an act to provide for the speedy collection of debts contracted after the first day of May next.

The yeas and nays being called for on the passage of the bill—

Those who voted in the affirmative were,
Messrs. Bartholomew, Blake, Clark, Conner, Daniel, Graham, Harrison, Slaughter and Shotts—9.

And those in the negative were,
Messrs. Baird, Bennett, Cotton, Gregory, Gray and Laughlin—6.

Ordered, That Mr. Harrison inform the House of Representatives of the passage of this bill and request their concurrence.

The engrossed bill authorising the guardians of the infant heirs of Henry Hecky, deceased, to lay out certain monies, was read the third time—And

Resolved, That the same pass and that the title thereof be "An act authorising the guardians of the infant heirs of Henry Hecky, deceased, to lay out certain monies."

Ordered, That Mr. Gregory inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill from the House of Representatives entitled an act for the relief of James Besse and John Eastburn, was according to order, taken up in committee of the whole. Mr. Daniel in the chair, and after some time spent therein, the committee rose and the president reported the same to the Senate, with an amendment, which amendment was concurred in—And,

Resolved, That the same pass.

Ordered, That Mr. Daniel inform the House of Representatives thereof and request their concurrence in said amendment.

The Senate according to order, resolved themselves into a committee of the whole, on the engrossed bill from the House of Representatives entitled an act to encourage domestic manufactures. Mr. Bartholomew in the chair, and after some time spent therein the committee rose and the President reported the same to the Senate with sundry amendments, and leave was granted to sit again.

The Senate according to order, resolved themselves into a committee of the whole, on the engrossed bill from the House of Representatives, entitled an act establishing a permanent system of statute laws in this state. Mr. Baird in the chair, and after some time spent therein, the com-

mittee rose and the President reported the bill to the Senate with an amendment, and the amendment was concurred in.

Mr. Graham moved to amend the said bill by striking out from the word 'power,' in the section to the end thereof, and inserting the following, to wit: "to compile the statute laws of this state, and also to correct any imperfections in the phraseology thereof, and to remove any ambiguities which may be found therein, so as to make them explicit, agreeable to the new intent and meaning thereof."

Which amendment was not adopted, and the yeas and nays being required by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bennett, Clark, Graham and Gregory—5.

And those in the negative were,

Messrs. Bartholomew, Blake, Conner, Cotton, Daniel, Gray, Harrison, Laughlin, Slaughter and Sholts—10.

On motion—

And two thirds of the Senate concurring, the bill was read a third time now—And,

Resolved, That the same pass as amended.

The yeas and nays being demanded by two members, on the passage of said bill,

Those who voted in the affirmative were,

Messrs. Bartholomew, Blake, Conner, Cotton, Daniel, Gray, Harrison, Sholts and Slaughter—10.

And those in the negative were,

Messrs. Baird, Bennett, Clark, Graham and Gregory—5.

Ordered, That Mr. Graham inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill, from the House of Representatives, entitled an act supplementary to an act locating certain roads therein named and for other purposes, approved January 9th, 1821, was according to order, taken up in committee of the whole, Mr. Graham in the chair, and after some time spent therein the committee rose and the president reported the same to the Senate with an amendment.

Which amendment was concurred in.

On motion—

Ordered, That the same be recommitted to the committee on state roads to consider and report thereon.

M. Harrison from the select committee to whom was recommended, the engrossed bill for the general retrenchment of county expenditures, now reported a substitute. Which was read and concurred in—And,

On motion—

Ordered, That the same be committed to a committee of the whole and made the order of the day for Monday next.

Mr. Clark presented the petition of Charles Zadesky and others, praying for the establishment of a road from the town of Levenworth to Indianapolis. Which was read—And,

On motion,

Ordered, That the same be referred to the committee on state roads to consider and report thereon.

Mr. Clark submitted the following resolution :

Resolved, That a select committee be appointed to draft and report a memorial to Congress, requesting that a sufficient amount of the two per cent. fund be appropriated and laid out on that part of the great national road leading from Wheeling to a certain point on the Mississippi, which passes through the state of Indiana, as will open the same. Which was rejected.

On motion—

Ordered, That the Senate adjourn until this afternoon at two o'clock.

SA T U R D A Y, Dec. 8th, 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

A message from the Governor by Mr. Moore, his private secretary, announcing that his Excellency did on yesterday approve and sign the enrolled bills entitled,

An act authorising the associate judges to appoint a clerk protem in certain cases.—And

An act supplemental to an act entitled an act for the formation of a new county north of Vigo county. Which originated in the Senate.

And he withdrew.

On motion—

The committee of the whole, were discharged from the further consideration of the engrossed bill from the House of Representatives, entitled an act legalising certain acts and proceedings of the board of county commissioners of Vigo county, and the same was by consent read the third time to-day.—And

Resolved, That the same pass.

Ordered, That Mr. Blake inform the House of Representatives thereof.

The Senate now according to order resolved themselves into a committee of the whole on the bill legalizing the election of trustees of the county library of the county of Sullivan and for other purposes, Mr. Bennett in chair, and after some time spent therein, the committee rose, and the President reported the bill to the Senate without amendment.

On motion—

Ordered, That the said bill be considered as engrossed and be read a third time on Monday next.

The Senate again resumed in committee of the whole, the consideration of the joint resolution on the subject of the national road, Mr. Laughlin in the chair, and after some time spent therein, the committee rose and the President reported the same with an amendment, which amendment was concurred in.

On motion—

Ordered, That the same be engrossed for a third reading on Monday next.

The bill granting certain privileges to the corporation of the town of Jeffersonville, was according to order taken up in committee of the whole, Mr. Shotts in the chair, and after some time spent therein, the committee rose and the President reported the bill to the Senate with an amendment, by striking it out from its enacting clause.

Which was concurred in.

On motion—

Ordered, That the same be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Daniel, Bartholomew and Clark, were appointed that committee.

Mr. Gotton moved to postpone the further consideration of the bill regulating the fees of certain officers therein named till the first Monday in December next; and the yeas and nays being demanded by two members.

Those who voted in the affirmative were, Messrs. Bartholomew, Bennett, Blake, Conner, Cotton, Daniel, Harrison, Slaughter and Sholts 9.

And those in the negative were, Messrs. Baird, Clarke, Graham, Gregory, Gray and Laughlin 6.

And so the bill was postponed accordingly.

A message from the House of Representatives by Mr. Milroy, of Lawrence a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act for the relief of Thomas Beezly and others, in which they request the concurrence of the Senate.

And he withdrew.

The said bill was by consent read the first, second and third time to day.—And

Resolved, That the same pass.

Ordered, That Mr. Gregory inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Thornton, their assistant clerk.

Mr. President,

The House of Representatives have passed the enrolled bills, entitled

An act supplemental to an act entitled an act for the relief of the poor.

An act to dissolve the bands of matrimony between Catharine Sellers, (late Catharine Moffitt) and her husband Nathan Sellers, both of which bills originated in the House of Representatives, and in which they request the concurrence of the Senate.

They refuse to concur in the amendment made by the Senate to the engrossed bill entitled an act for the relief of James Besse and John Eastburn, which originated in the House of Representatives.

They concur in the amendment made by the Senate to the engrossed bill entitled an act establishing a permanent system of statute laws in this state.

They have received official information from his Excellency the governor of this state through H. H. Moore, his private secretary, that his Excellency did an yesterday approve and sign an act to divorce Peggy Harness, from her husband Michael Harness.

And an act for the relief of Jeremiah Lockwood.

And a joint resolution changing the place of holding the election in Harrison township in the county of Harrison; all of which originated in the House of Representatives.

And he withdrew.

On motion by Mr. Gray—

Resolved, That the Senate insist on their amendment to the engrossed bill from the House of Representatives entitled an act for the relief of James Besse and John Eastourn.

Ordered, That Mr. Gray inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled an act to dissolve the bands of matrimony between Catharine Sellers (late Catharine Moffitt) and her husband Nathan Sellers, was read the first and second times by consent.—And

Ordered, That the same be committed to a committee of the whole on this day.—And

Thereupon,

The Senate according to order resolved themselves into a committee of the whole on the said bill, Mr. Blake in the chair, and after some time spent therein, the committee rose and the President reported the bill without amendment.

On motion—

Ordered, That the same be read a third time on Monday next.

The engrossed bill from the House of Representatives entitled an act supplemental to an act entitled an act for the relief of the poor, was read the first and second times by consent.—And

On motion—

Ordered, That the same be committed to a committee of the whole, and made the order of the day for Tuesday next.

On motion—

Ordered, That the Senate adjourn until Monday morning next, 9 o'clock.

MONDAY MORNING, Dec. 10th, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Gregory from the committee on the three per cent. fund, now reported a bill appropriating the same for the purpose of opening certain roads therein named.

Which bill was read the first time.

Ordered, That the same lie on the table.

Mr. Blake gave notice that he would on to-morrow or some subsequent day of the present session ask leave to introduce a bill defining the responsibility of indorsers and for other purposes.

Mr. Blake now presented two petitions of sundry citizens of the western part of this state praying for certain roads to be established &c.

Which was read.—And

On motion—

Ordered, That the same be referred to the committee on state roads, to consider and report thereon.

Mr. Daniel from the committee to whom was referred the petition of Thomas C. Steward, agent of Pike county, now reported by bill, which was read the first and second times by consent.—And

Ordered, That the same be engrossed for a third reading on to-morrow.

Mr. Slaughter now obtained leave to introduce a bill to repeal the 7th section of an act entitled an act supplemental to an act entitled an act subjecting real and personal estate to execution, approved January 6th, 1821; which was read the first and second times by consent—and

Ordered, That the same be committed to a committee of the whole and made the order of the day for Wednesday next.

On motion—

The Senate again resolved itself into a court of impeachment for the trial of Curtis Gilbert, clerk of Vigo circuit court. And again resumed their Senatorial character.

Mr. Harrison gave notice that he would on to-morrow or some subsequent day of the present session ask leave to introduce a bill authorising the qualified voters at their next August election to express by vote, whether they are in favor of or opposed to calling a convention for the revision of certain parts of the constitution of this state.

On motion,

Ordered, That the bill appropriating \$100,000 of the three per cent. fund for the purpose of opening certain roads be now taken up.

The bill was read a second time to-day—And

On motion—

Ordered, That the same be referred to a committee of the whole, and made the order of the day for to-morrow.

Mr. Gregory from the committee to whom was referred the petition of Hannah Maxwell now reported a bill author-

ising Hannah Maxwell administratrix of Joseph Maxwell deceased, to sell a quarter section of land therein named. Which was read the first and second times.—And

On motion,

Ordered, That the same lie on the table.

The engrossed joint resolution on the subject of the national road, was read the third time; and on the question being put, Shall the resolution pass? it was determined in the negative.

The Senate according to order resolved itself into a committee of the whole, on the bill for the general retrenchment of county expenditures, Mr. Barid in the chair, and after some time spent therein, the committee rose and the President reported the same to the Senate, with two amendments.

Which amendments were concurred in.

On motion,

Ordered, That the same be engrossed for a third reading on to-morrow.

On motion—

Ordered, That the Senate adjourn until this afternoon 2 o'clock.

MONDAY AFTERNOON, Dec. 10th, 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Graham from the joint committee for enrolled bills reported that they had compared and found truly enrolled.

An act supplemental to an act organizing circuit courts & for other purposes, approved December 24th, 1818.

An act to dissolve the bands of matrimony between Joseph Collett and Elizabeth Tiffin.

An act to amend the act entitled an act prescribing the mode of changing the venue, approved December 31st, 1818.—Also,

A joint resolution confirming the line between the states of Indiana and Illinois.—And

A joint resolution.

Mr. Blake from the same committee reported, that they had compared and found truly enrolled,

An act for the relief of Thomas Beasley.

A message from the House of Representatives by Mr. Ross, their clerk, announcing that the Speaker had signed the three acts last reported to be truly enrolled by Mr. Graham, and the two last reported joint resolutions and requesting the signature of the President thereto.

The President having signed the same, they were severally handed to the committee for enrolled bills, to be presented to the Governor for his approval and signature.

Mr. Clark from the committee of ways and means, to whom was referred the report of Stephen Ranny, president of the board of managers of the state prison, and communicated to the Senate by his Excellency the governor, now reported that the committee are under the impression that on examining the said communication, and also the act authorising the building of said prison, the managers have full and ample powers granted them to provide for the maintenance and employment of convicts committed to said prison; and that the committee are of opinion that it would not be advisable to make a further sufficient appropriation, to create good and sufficient walls around said prison, if in the opinion of the Legislature the situation of our financial concerns will admit of the same.

On motion,

The Senate concurred in the above report.

The bill legalizing the election of trustees for the county library of the county of Sullivan and for other purposes. Was read the third time to-day.—And

Resolved, That the same pass, and that the title thereof be "An act legalizing the election of trustees for the county library of the county of Sullivan and for other purposes."

Ordered, That Mr. Blake inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill from the House of Representatives entitled an act supplemental to an act entitled an act for the relief of the poor, was now according to order taken up in committee of the whole, Mr. Conner in the chair, and after some time spent therein, the committee rose and the President reported the bill to the Senate with an amendment by striking out the second section. Which amendment was concurred in.

On motion,

Ordered, That the bill lie on the table.

The engrossed bill from the House of Representatives entitled an act to dissolve the bands of matrimony between Catharine Sellers (late Catharine Moffitt) and her husband Nathan Sellers, was read the third time.—And

On motion,

Ordered, That the bill be recommitted to a committee of the whole, and made the order of the day for this day.

The engrossed bill from the House of Representatives en-

Filed an act to encourage domestic Manufactures, was again taken up in committee of the whole. Mr. Baird in the chair, and after some time spent therein, the committee rose and the President reported the bill to the Senate with an amendment by striking out the 1st, 2d, 3d, 4th and 5th sections.

Which amendment was concurred in.

On motion by Mr. Slaughter—

Resolved, That the further consideration of the bill be indefinitely postponed.

Mr. Conner presented the petition of Daniel Yandes, praying liberty to erect a dam across White river. Which was read.—And

On motion—

Ordered, That the petition be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Conner, Gregory, Clark, and Blake, were appointed that committee.

Mr. Harrison from the select committee to whom was referred the expediency of laying off the state into Congressional districts, now reported a bill for that purpose. Which was read.—And

On motion—

Ordered, That the same pass to a second reading on tomorrow.

On motion—

Ordered, That the Senate adjourn until 9 o'clock to-morrow morning.

TUESDAY MORNING, Dec. 11, 1821—9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Blake, from the committee for enrolled bills, reported, that they had presented to his Excellency the governor for his approval and signature, an enrolled bill entitled an act supplementary to an act authorising Rebecca Heth and Fielding M. Bradford, administrators of Hervey Heth, deceased, to sell and convey certain lots, &c.

A message from the Governor by D. J. Caswell, Esq. announcing that his excellency did on this day approve and sign an act supplementary to an act, authorising Rebecca Heth and Fielding M. Bradford, administrators of Henry Heth deceased, to sell and convey certain lots, &c.

And he withdrew.

Mr. Blake presented the petition of sundry inhabitants of Owen and Wabash counties, praying that part of said counties may be attached to Monroe county. Which was read.

On motion—

Ordered, That the same be referred to the committee of propositions and grievances.

Mr. Blake also presented the petition of John R. Freeland and others, citizens of the western part of this state, praying for a road from thence to Indianapolis. Which was read.—And,

On motion,

Ordered, That the same be referred to the committee on state roads.

Mr. Blake also presented the petition of Susanna Lamb, praying a divorce from her husband Adam Lamb. Which was read.—And,

On motion by Mr. Blake—

Ordered, That the petition be referred to the committee of the whole to whom was referred the engrossed bill from the House of Representatives entitled an act to dissolve the bands of matrimony between Catharine Sellers, late Catharine Moffit, and her husband Nathan Sellers.

Mr. Connor from the committee to whom was referred, the petition of sundry citizens of Union county, praying for the appointment of commissioners to establish the permanent seat of justice for Union county, now reported a bill for that purpose, which was read the first and second time by consent—And,

On motion,

Ordered, That the same be committed to a committee of the whole and made the order of the day for Friday next.

Mr. Blake, pursuant to notice, now obtained leave to introduce a bill defining the responsibility of indorsers, which was twice read by consent—And,

On motion,

Ordered, That the same be referred to a committee of the whole and made the order of the day for to-morrow.

Mr. Sholts now presented the petition of J. D. Clements and others, praying the establishment of a road from Thompstown to Carlisle, and also from Rockport to Indianapolis. Which was read—And,

On motion,

Ordered, That the same be referred to the committee on state roads to consider and report thereon.

Mr. Gregory from the committee of propositions and

grievances, to whom was recommitted, the bill for the formation of a new county out of the counties of Wabash and Delaware, now reported the original bill with an amendment.

Which amendment was read and explained—And,

On motion,

Ordered, That the bill with its amendment be referred to a committee of the whole and made the order of the day for to-morrow.

A message from the House of Representatives by Mr. Johnston of Knox, a member, announcing that the Speaker of the House of Representatives had signed an enrolled bill entitled an act for the relief of Thomas Beazly, and requesting the signature of the President thereto.

The President of the Senate having signed the same, it was handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

A message from the House of Representatives, by Mr. Thornton their assistant clerk.

Mr. President—

The House of Representatives have adopted the following resolution, viz.

Resolved, That the Senate be invited to occupy the chamber of the House of Representatives during the session as the high court of impeachment for the trial of Curtis Gilbert Esq.

And he withdrew.

On motion by Mr. Slaughter—

Resolved, That the Senate accept the invitation of the

House of Representatives to sit in their chamber as a court of impeachment, for the trial of Curtis Gilbert.

Ordered, That Mr. Slaughter inform the House of Representatives thereof.

The Senate then repaired to the Representative chamber and resolved themselves into a court of impeachment for the trial of Curtis Gilbert, and again resumed their Senatorial character.

On motion,

Ordered, That the Senate adjourn until to-morrow morning at nine o'clock.

WEDNESDAY Morning, Dec. 13th, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Blake, from the committee for enrolled bills, reported, that they did on Thursday present to his Excellency the Governor for his approval and signature, an enrolled bill entitled an act for the relief of Thomas Beezly.

The Senate again resolved itself into a court of impeachment for the trial of Curtis Gilbert, clerk of Vigo county, and again resumed their Senatorial character.

On motion,

Ordered, That the Senate adjourn until this afternoon, 2 o'clock.

WEDNESDAY Afternoon, Dec. 13th, 1821—2 o'clock.

The Senate assembled pursuant to adjournment.

The following communication from the treasurer of state, was laid before the Senate by the President, viz.

Treasury Department, Corydon Dec. 13th, 1821.

The treasurer in obedience to an act of the General Assembly, approved the 4th day of this instant, submits the following report:

That upon the eighth day of this month he did, within the banking house of the bank of Vincennes adopted as the state bank of Indiana, and within the usual banking hours, in the presence of the cashier thereof, count down the amount of the first bond, being ten thousand dollars, which has been executed for the loan due from the state to that institution, composed partly of the notes of the said bank, and the residue of notes upon her branches, all of which he the said cashier peremptorily refused to receive, having remarked, that he could do nothing towards the adjustment of the business, as this bond together with all the other bonds for loans made to the state by the institution, had never been in his possession, and which he had been informed, were assigned over in discharge of a debt due to the general government, previous to his coming into office.

I am inclined to believe, that these assignments have been made without regard to a small credit to which the state is entitled.

A copy of the evidence of which is herewith transmitted.

All of which is respectfully submitted.

D. C. LANE, *Treasurer*.

On motion,

Ordered, That the report and accompanying documents, be referred to the committee of ways and means to consider and report thereon.

Ordered, That Mr. Daniel be added to that committee.

On motion,

The Senate according to order, resolved itself into a committee of the whole on the bill appropriating \$100,000 of the three per cent. fund to the opening of certain roads therein specified, Mr. Bartholomew in the chair, and after some time spent therein the committee rose and leave was given to sit again.

Mr. Blake from the committee on that subject, now reported a bill for the formation of a new county out of the counties of Owen and Vigo and north of Owen, which was read a first and second time by consent—And,

On motion—

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-morrow.

Mr. Conner moved to adopt the following resolution, viz.

Resolved, That a committee be appointed to enquire if any amendments are necessary, and if any, what to the laws regulating the duties and jurisdiction of justices of the peace, with leave to report by bill or otherwise.

Which was rejected.

A message from the House of Representatives by Mr. Tipton, a member.

Mr. President—

The House of Representatives have adopted the following resolution, viz.

Resolved, That a committee of free conference be appointed, on the subject matter of difference between the two Houses, on the amendment made by the Senate to the bill

from the House of Representatives, for the relief of James Besse and John Eastburn, and that the Senate be informed thereof and a similar committee on the part of the Senate be requested, and that the committee on the part of the House of Representatives are Messrs. Tipton and Thompson.

On motion by Mr. Graham—

Resolved, That a committee of free conference be appointed by the Senate to act with a committee appointed by the House of Representatives on the subject of the difference between the two Houses on the bill from the House of Representatives for the relief of James Besse and John Eastburn, and that the House of Representatives be informed thereof.

Whereupon,

Messrs. Graham and Cotton were appointed that committee.

Ordered, That Mr. Graham inform the House of Representatives thereof.

On motion—

Ordered, That the Senate adjourn until to-morrow morning 9 o'clock.

THURSDAY MORNING, Dec. 13, 1821—9 o'clock.

Senate assembled pursuant to adjournment.

Mr. Cotton obtained leave to introduce a bill amendatory to the act entitled an act regulating the militia, approved January 28th, 1818.

On motion,

Ordered, That the bill lie on the table.

The Senate again resumed in committee of the whole, the consideration of the bill appropriating one hundred thousand dollars of the three per cent. fund to the opening of certain roads therein specified, Mr. Bartholemew in the chair, and after some time spent therein Mr. President reported the bill to the Senate, and leave was asked to sit again.

Leave was granted.

The President of the Senate was permitted to withdraw, he being indisposed—And,

On motion—

The Senate now proceeded to elect a President pro tem, to act in the absence of the President; when it appeared that the Hon. William Graham was duly elected, and he was conducted to the chair.

Ordered, That Mr. New inform the House of Representatives thereof.

The Senate again resumed in committee of the whole, the consideration of the bill appropriating one hundred thousand dollars of the three per cent. fund, to the opening of certain roads therein specified, Mr. Bartholemew in the chair, and after some time spent therein the committee rose and leave was asked to sit again.

Leave was refused.

On motion—

Ordered, That the bill be recommitted to the committee on the three per cent. fund, to consider and report thereon.

Ordered, That Mr. Conner, Mr. Blake and Mr. Cotton, be added to the committee on the three per cent. fund.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have adopted a memorial to Congress, which originated in the House of Representatives, in which they request the concurrence of the Senate.

They have also received official information from his Excellency the Governor, by Daniel J. Caswell, Esq. his private secretary, that he did on the 11th instant, approve and sign the following acts and joint resolutions, viz.

1st. An act to dissolve the bands of matrimony between Josephus Collett and Elizabeth Tiffin.

2d. An act to amend the act entitled an act prescribing the mode of changing the venue.

3d. An act supplementary to an act organizing circuit courts, and for other purposes, approved December 24th, 1821.

4th. A joint resolution confirming the line between the states of Indiana and Illinois.

5th. A joint resolution appropriating certain moneys for the purpose of purchasing stove pipes, and that he did on the 12th instant approve and sign—

An act for the relief of Thomas Beezly and others.

All of which originated in the House of Representatives.

And he withdrew.

On motion—

Ordered, That the Senate adjourn until this afternoon 3 o'clock.

THURSDAY AFTERNOON, Dec. 13th. 1821. 2 o'clock.

The Senate assembled pursuant to adjournment.

The memorial of the General Assembly of the state of Indiana to Congress, from the House of Representatives, was read—And

On motion—

Resolved, That the same be adopted.

Ordered, That Mr. New inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Thornton, their assistant clerk.

Mr. President,

The House of Representatives have passed an engrossed bill, entitled an act concerning lands granted for the use of salt springs, which originated in the Senate without amendment.

And the following engrossed bills entitled acts, to wit :

1st. An act to appoint guardians to certain minors.

2d. An act authorising a transfer of prisoners in certain cases.—And

3d. An act appointing commissioners to relocate the seat of justice of Crawford county, and for other purposes : To all of which they request the concurrence of the Senate.

And he withdrew.

The said three last reported bills from the House of Representatives were severally read : and each ordered to be referred to a committee of the whole and made the order of the day for to-morrow.

Mr. Shotts now presented the petition of sundry citizens of Dubois county praying to be attached to the county of Martin, which was read—And

On motion by Mr. Shotts—

Ordered. That the petition be referred to the committee of propositions and grievances to consider and report thereon.

On motion—

Ordered, That the engrossed bill from the House of Representatives entitled an act supplemental to an act entitled an act for the relief of the poor, be now taken up.

On motion,

Ordered, That the bill be recommitted to the committee of the whole and made the order of the day for this day.

And the Senate now according to order resolved themselves into a committee of the whole, on the said bill, Mr. Conner in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate without amendment.

On motion,

Ordered, That the bill be read a third time now.

The bill was read a third time.—And

Resolved, That the same pass.

Ordered, That Mr. New inform the House of Representatives thereof.

The Senate now resolved itself into a committee of the whole, on the bill for the formation of a new county out of the counties of Delaware and Wabash; Mr. Harrison in

the chair, and after some time spent therein, the committee rose, and the bill was reported with sundry amendments.

Which amendments were concurred in.

The President now appeared in Senate and took his seat.

On motion,

Ordered, That the last mentioned bill be engrossed for a third reading on to-morrow.

The Senate now resolved themselves into a committee of the whole, on the engrossed bill from the House of Representatives entitled an act to dissolve the bands of matrimony between Catharine Sellers (late Catharine Moffitt) and her husband Nathan Sellers, Mr. Clark in the chair, and after some time spent therein, the committee rose, and the bill was reported to the Senate without amendment.

On motion,

Ordered, That the bill be read a third time now.

The bill was read the third time.—And

Resolved, That the same pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof.

The engrossed bill for the relief of the county agent of Pike county, was read the third time now.—And

Resolved, That the same pass.

Ordered, That the same be entitled an act for the relief of the county agent of Pike county, and that Mr. Shotts inform the House of Representatives thereof, and request their concurrence therein.

The Senate now resolved itself into a committee of the whole on the bill to repeal the 7th section of the act entitled an act supplemental to an act entitled an act subjecting real and personal estate to execution, approved January 6th, 1821, Mr. Cotton in the chair, and after some time spent therein, the committee rose, and the bill was reported to the Senate with an amendment by striking it out from the enacting clause.

Which amendment was concurred in.

On motion by Mr. Cotton—

Resolved, That the further consideration thereof be indefinitely postponed.

The Senate now resolved itself into a committee of the whole, on the bill defining the responsibility of indorsers and for other purposes, Mr. Slaughter in the chair, and after some time spent therein, the committee rose, and the bill was reported to the Senate with an amendment by striking it out from its enacting clause.

Which amendment was concurred in.

On motion by Mr. Harrison—

Resolved, That the further consideration thereof be indefinitely postponed.

The bill dividing the state into Congressional districts was read the second time.—And

On motion,

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-morrow.

On motion—

Ordered, That the Senate adjourn until 9 o'clock to-morrow morning.

FRIDAY MORNING, Dec. 14th, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.

The engrossed bill for the general retrenchment of county expenditure, was read the third time now.—And

Ordered, To be laid on the table.

The Senate now resolved itself into a committee of the whole, on the engrossed bill from the House of Representatives entitled an act appointing commissioners to relocate the seat of justice of Crawford county and for other purposes. Mr. Conner in the chair, and after some time spent therein, the committee rose, and the bill was reported to the Senate without amendment.

On motion—

Ordered, That the bill be read a third time now.

The bill was according to order read the third time.—And

Resolved, That the same pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof.

On motion—

Ordered, That the engrossed bill for the general retrenchment of county expenditures be now taken up.—And

Resolved, That the same pass.

The yeas and nays being demanded by two members on the passage of the bill—

Those who voted in the affirmative were,
Messrs. Baird, Bartholomew, Bennett, Clark, Conner, Daniel, Graham, Gregory, Harrison, Laughlin & Shultz.

And those in the negative were,

Messrs. Blake, Cotton, Gray and Slaughter.

Ordered, That the bill be entitled an act for the general retrenchment of county expenditures and for other purposes, and that Mr. Harrison inform the House of Representatives thereof and request their concurrence therein.

A message from the House of Representatives by Mr. Johnston of Knox, a member :

Mr. President—

The House of Representatives have adopted the following resolution, to wit :

Resolved, By the House of Representatives, (the Senate concurring therein) that six copies of the memorial to Congress upon the petition of Will : Page and others, be made out by the clerk of the House of Representatives and signed by the Speaker and President of the Senate. One of which shall forthwith be transmitted by the President of the Senate to the President of the United States.—One to the vice President of the U. S.—And one to each of our Senators in Congress ; another transmitted by the Speaker of the House of Representatives to the Speaker of the House of Representatives of the U. S. and another to our representative in the same House.

Ordered, That the Senate be informed thereof, and their concurrence requested.

And he withdrew.

On motion,

The resolution was concurred in.

Ordered, That Mr. New inform the House of Representatives thereof.

The Senate now resolved itself into a committee of the whole on the engrossed bill from the House of Representatives, entitled an act to appoint guardians for certain minors, Mr. Laughlin in the chair, and after some time spent therein the committee rose, and leave was granted to sit again.

The Senate now resolved itself into a committee of the whole on the engrossed bill from the House of Representatives, entitled an act authorising a transfer of prisoners in certain cases, Mr. Cotton in the chair, and after some time spent therein the committee rose, and the bill was reported to the Senate without amendment.

On motion—

Ordered, That the bill pass to a third reading on to-morrow.

The Senate now resolved itself into a committee of the whole on the bill for the formation of a new county out of Owen and Vigo counties and north of Owen county, Mr. Gray in the chair, and after some time spent therein the committee rose, and the bill was reported to the Senate with sundry amendments thereto.

Which amendments were concurred in.

On motion,

Ordered, That the bill be engrossed for a third reading on to-morrow.

On motion,

Ordered, That the Senate adjourn until this afternoon 2 o'clock.

FRIDAY AFTERNOON, Dec. 14th, 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

On motion,

The Senate again resumed in committee of the whole the consideration of the engrossed bill from the House of Representatives, entitled an act to appoint guardians for certain minors, Mr. Laughlin in the chair, and after some time spent therein the committee rose and the bill was reported with an amendment by striking it out from its enacting clause.

Which amendment was concurred in.

On motion by Mr. Cotton—

Ordered, That the further consideration of the bill be indefinitely postponed.

The Senate now resolved itself into a committee of the whole on the bill providing for the organization of Union county, Mr. Gregory in the chair, and after some time spent therein, the committee rose and the bill was reported without amendment, and leave was granted to sit again.

On motion—

Ordered, That the Senate adjourn until to-morrow morning 9 o'clock.

SA TURDAY MORNING, Dec. 15th, 1821.

The Senate assembled pursuant to adjournment.

Mr. Gregory, from the committee on the three per cent. fund to whom was recommitted the bill appropriating \$100,000 of the three per cent. fund to the opening of cer-

tain roads therein specified, now reported the original bill with an amendment thereto.

Which amendment was read and explained—And,

On motion—

Ordered, That the Senate concur in the amendment, and that the bill with the amendment be recommitted to a committee of the whole and made the order of this day.

The engrossed bill from the House of Representatives, entitled An act authorising a transfer of prisoners in certain cases, which was read the third time—And,

The question being put, Shall the bill pass? it was determined in the negative.

The engrossed bill for the formation of a new county out of the counties of Delaware and Wabash, was read the 3d time to-day—And,

Resolved, That the bill pass.

Ordered, That it be entitled an act for the formation of a new county out of the counties of Delaware and Wabash—and that the House of Representatives be informed thereof, and their concurrence therein requested.

The Senate now, according to order, resolved itself into a committee of the whole, for dividing the State into Congressional Districts for the election of members to the Congress of the United States—Mr. Baird in the chair—and after some time spent therein, the committee rose and the bill was reported to the Senate with sundry amendments thereto, and leave was granted to sit again.

Mr. Blake, from the joint committee for enrolled bills, reported that they had compared and found truly enrolled the following enrolled bills, entitled acts, viz:

An act establishing a permanent system of statute laws in this state.

An act supplemental to an act entitled an act for the relief of the poor.

An act to dissolve the bonds of matrimony between Catharine Sellers (late Catharine Moffitt) and her husband, Nathan Sellers—And,

An act concerning lands granted for the use of salt springs.

A message from the House of Representatives, by Mr. Lane, a member, announcing that the Speaker of the House of Representatives had signed the four last mentioned bills, reported to be truly enrolled by Mr. Blake, and requesting the signature of the President thereto. And the President having signed the same, they were severally handed to the committee for enrolled bills, to be presented to his Excellency the Governor, for his approval and signature.

The Senate again resumed in committee of the whole the consideration of the bill providing for the organization of Union county. Mr. Gregory in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with sundry amendments thereto.

Which amendments were concurred in.

On motion,

Ordered, That the bill be engrossed for a third reading on Monday next.

On motion,

Ordered, That the Senate adjourn until this afternoon, 2 o'clock.

SATURDAY Afternoon, Dec. 15th, 1821—2 o'clock

The Senate assembled pursuant to adjournment.

On motion by Mr. Graham—

Resolved, That the secretary of the Senate be instructed to furnish Aaron Vandever with a copy of the articles of impeachment against him by the House of Representatives.

Mr. Gregory, from the committee to whom was referred the petition of sundry citizens of Owen county, praying for part of Wabash county to be attached to Owen county, now reported a bill for that purpose, which was twice read by consent—And,

On motion—

Ordered, That the same be engrossed for a third reading on Monday next.

Mr. Clark moved the adoption of the following resolution viz:

Resolved, That Joseph A. Hopkins, Esq. be and he is hereby assigned as counsel for Aaron Vandever, in the prosecution now pending before the Senate, wherein the state of Indiana is plaintiff and Aaron Vandever is defendant.

Which was rejected.

The bill authorising Hanna Maxwell, administratrix of Joseph Maxwell deceased, to sell a quarter section of land, was taken up—And,

On motion,

The Senate now resolved itself into a committee of the

whole on the said bill, Mr. Laughlin in the chair, and after some time spent therein, the committee rose, and leave was granted to sit again.

Mr. Sholts, submitted the following resolution, which was adopted, viz:

Resolved, That a committee be appointed, with instructions to report a bill authorising the appointment of commissioners to examine the falls on the east and west forks of White River, in Martin and Daviess counties, preparatory to the improvement of the navigation of said river at the said place, and the yeas and nays being demanded by two members, those who voted in the affirmative were Messrs. Bartholomew, Blake, Cotton, Graham, Laughlin, Sholts and Daniel, 7—and those who voted in the negative were Messrs. Baird, Bennett, Clark, Conner, Gray and Gregory, 6.

Ordered, That Messrs. Sholts, Blake and Graham be that committee.

The Senate again resumed in committee of the whole the consideration of the bill appropriating \$100,000 of the three per cent. fund for the purpose of opening certain roads therein specified, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose and leave was granted to sit again.

A message from the House of Representatives, by Mr. Thornton, assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act dissolving the bands of matrimony between Polly Jenkins and her husband Josiah Jenkins, which originated in the Senate, with sundry amendments, in which they request the concurrence of the Senate. They have also passed An engrossed joint resolution entitled a joint resolution concerning the public debt.

And he withdrew.

On motion,

The Senate now proceeded to consider the amendments made by the House of Representatives to the engrossed bill from the Senate, entitled an act dissolving the banns of matrimony between Polly Jenkins and her husband Josiah Jenkins, which amendments were read, and are as follows, viz:

1st. By amending the title thereof by inserting the words (late Polly Heckey) after the words "Polly Jenkins."

2d. By inserting the word 'act' and striking out the word 'of' in the title.

3d. By striking out the word "banns" and inserting the word "banns" in lieu thereof.

Resolved, That the Senate concur in the said amendments.

Ordered, That Mr. Gregory inform the House of Representatives thereof.

The joint resolution from the House of Representatives, concerning the public debt, was read three times now (two thirds of the Senate consenting) and by consent amended by adding,

"This resolution to take effect and be in force from and after its passage."

Resolved, That the same pass.

Ordered, That Mr. New inform the House of Representatives thereof, and request their concurrence in the amendment.

On motion by Mr. Blake--

Resolved, That the Senate will resolve itself into a court

of impeachment, for the trial of Aaron Vandever, at nine o'clock on Monday morning, and that the House of Representatives be informed thereof.

Ordered, That Mr. Blake inform the House of Representatives thereof.

Mr. Daniel now presented the petition of Matthias Nowland and others, praying that four acres of ground at Indianapolis may be granted for a brick yard.

Which was read.

On motion,

Ordered, That the same be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Daniel, Cotton, Clark and Graham, were appointed that committee.

Mr. Slaughter now obtained leave to introduce a bill to dissolve the banns of matrimony between Lyman Beeman and Sally Melott, which was read--And,

Ordered to pass to a second reading on Monday next.

On motion,

Ordered, That the Senate adjourn until to-morrow morning 9 o'clock.

MONDAY MORNING, Dec. 17, 1821—9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Bartholomew submitted the following resolution, viz.

Resolved, That the committee on so much of the Governor's message as relates to the state prison at Jeffersonville be instructed to report a bill to provide for the subsistence of the convicts while in prison, and that they insert in the bill what further improvement they think indispensably necessary in order to keep the prisoners usefully employed at labor.

Which was rejected.

On motion by Mr. Harrison—

Resolved, That the Senate do now resolve itself into a court of impeachment for the trial of Aaron Vandever a justice of the peace of Washington county.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

The Senate according to order resolved itself into a court of impeachment for the trial of said impeachment, and again resumed their Senatorial character.

On motion by Mr. Graham—

Resolved, That a committee be appointed to enquire into the expediency of repealing so much of the act providing for the erection of a state prison at Jeffersonville as provides for the confinement of convicts in that prison.

Whereupon,

Messrs. Graham Daniel and Harrison, were appointed that committee.

Mr. Blake gave notice that he would on to-morrow ask leave to introduce a bill for the relief of John T. Chunn and others.

The Senate again resumed in committee of the whole the further consideration of the bill appropriating one hundred thousand dollars of the three per cent. fund, to the opening of certain roads therein specified, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose and leave was granted to sit again.

On motion,

Ordered, That the Senate adjourn until this afternoon 3 o'clock.

MONDAY AFTERNOON, Dec. 17th, 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Conner obtained leave to present the petition of Edward Harper and others, praying for the formation of a new county out of Delaware county.

Which was read—Add,

Ordered, That the petition be referred to the committee of propositions and grievances to consider and report thereon.

Mr. Sholts obtained leave to present the petition of John Bollengsworth and others, praying for a road from Vincennes to Indianapolis.

Which was read—And

On motion by Mr. Sholts,

Ordered, That the petition be referred to the committee of state roads to consider and report thereon.

Mr. Clark from the committee of ways and means to whom was referred the report of the treasurer of state respecting the tender made by that officer of a certain sum of money due by the state to the state bank, now reported as follows viz: That it is the opinion of said committee that the duties assigned the treasurer of state by the act of the General Assembly approved December 1st, 1821, under which the treasurer acted, has only in part been complied with; as the said treasurer only tendered ten thousand dollars as will appear from his report made to this House, and whereas the act appropriated the sum of twenty one thousand and two hundred dollars.

Mr. Clark moved to concur in the report.

Which motion was rejected.

A message from the House of Representatives by Mr. Thornton assistant clerk, announcing that the House of Representatives have passed an engrossed bill entitled an act authorising the writ of replevin.—And

A joint resolution respecting the trial of the impeachment of Curtis Gilbert, clerk of the Circuit court of Vigo county, both of which originated in the House of Representatives and requesting the concurrence of the Senate thereto,

The joint resolution respecting the trial of the impeachment of Curtis Gilbert, clerk of the Circuit court of Vigo county; was read the first and second times by consent.—And

On motion,

And by consent.

Ordered, That the resolution be read a third time on to-morrow.

The engrossed bill authorising the writ of replevin, was read the first and second times by consent.—And

On motion—

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-morrow.

A message from the House of Representatives by Mr. Murdock a member, announcing that the House of Representatives have passed an engrossed bill entitled an act to amend an act entitled an act for the limitation of criminal prosecutions, approved January 22d, 1820; which originated in the House of Representatives, and requesting the concurrence of the Senate.

The bill was read the first and second times by consent.—And

Ordered, That the same be committed to a committee of the whole, and made the order of the day for to-morrow.

The Senate again resumed in committee of the whole, the further consideration of the bill appropriating 100,000 of the three per cent. fund to the opening of certain roads therein specified, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose and reported the bill to the Senate with sundry amendments thereto; and the amendments were concurred in.

On motion,

Ordered, That the bill be engrossed for a third reading on to-morrow.

A message from the House of Representatives, by Mr. Thornton their assistant clerk.

Mr. President,

The House of Representatives have passed an engrossed bill entitled An act legalizing the election of trustees for

the county library of Sullivan county and for other purposes ; which originated in the Senate without amendment.

They have also passed engrossed bills of the following titles, viz :

1st. An act to amend the act reducing into one all the acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery.—And

2d. An act for the better regulation of the militia of the State of Indiana ; both of which originated in the House of Representatives, and in which they request the concurrence of the Senate.

The engrossed bill attaching part of the county of Wabash county to Owen county, was read the third time.—And

Resolved, That the same pass.

Ordered, That the same be entitled An act attaching part of Wabash county to Owen county ; and that Mr. New inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill providing for the organization of Union county, was read a third time.—And

Resolved, That the same pass.

Ordered, That the same be entitled An act providing for the organization of Union county ; and that Mr. New inform the House of Representatives thereof, and request their concurrence therein.

The engrossed bill for the formation of a new county out of the counties of Vigo and Owen and north of Owen, was read the third time and passed.

Ordered, That the title thereof be an act for the forma-

tion of a new county out of the counties of Vigo and Owen and north of Owen ; and that Mr. Blake inform the House of Representatives thereof, and request their concurrence therein.

The bill to dissolve the bans of matrimony between Liman Geeman and Sally Melott, was read the third time today.—And

On motion—

Ordered, That the bill be referred to a committee of the whole and made the order of the day for to-morrow.

On motion—

Ordered, That the Senate adjourn until to-morrow morning 9 o'clock.

TUESDAY MORNING, Dec. 18th, 1821.

The Senate assembled pursuant to adjournment.

Mr. Graham from the committee to whom was referred the expediency of repealing so much of the act providing for the erection of a state prison at Jeffersonville, as provides for the confinement of convicts in said prison, now reported a bill for that purpose ; which was read the first and second times now.—And

On motion—

Ordered, That the bill be referred to a committee of the whole, and made the order of the day for to-morrow.

The joint resolution respecting the trial of the impeachment of Curtis Gilbert, clerk of the Circuit court of Vigo

county, from the House of Representatives, was read a third time to-day.—And

Resolved, That the same pass.

Ordered, That Mr. Graham inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, entitled an act to amend an act reducing into one all acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery, was read the first and second times by consent.—And

On motion—

Ordered, That the bill be committed to a committee of the whole House, and made the order of the day for this day.

The engrossed bill from the House of Representatives entitled an act for the better regulation of the Militia of the state of Indiana.

Was read the first and second times by consent.—And

On motion—

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-morrow.

The Senate now resolved itself into a committee of the whole, on the engrossed bill from the House of Representatives entitled an act authorising the writ of replevin; Mr. Clark in the chair, and after some time spent therein, the committee rose, and the bill was reported to the Senate with an amendment.

Which amendment was concurred in.

On motion.

Ordered, That the bill be read a third time on to-morrow.

A message from the House of Representatives by Mr. Dewey a member.

Mr. President—

The House of Representatives have adopted the following resolution, viz :

Resolved, That the Senate be requested to meet the House of Representatives at 9 o'clock to-morrow morning in the Representative chamber, for the purpose of electing a revisor of the Laws, and that the Senate be informed thereof.

Which was adopted on yesterday.

And he withdrew.

On motion by Mr. Slaughter—

Resolved, That the Senate will now meet the House of Representatives in the Representatives' chamber for the purpose of electing a revisor of the laws, and that the House of Representatives be informed thereof.

Ordered, That Mr. Slaughter be appointed teller on the part of the Senate, and inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Tipton a member.

Mr. President—

The House of Representatives have appointed Mr. Ferris teller on their part and are now ready to proceed to the election of a revisor of the laws.

The Senate then repaired to the Representative chamber, and both Houses of the General Assembly proceeded to elect by ballot a revisor of the statute laws of this state, un-

for an act of the present session, when it appeared that Benjamin Parke was duly elected, and the Senate returned to their chamber.

Mr. Blake from the committee for enrolled bills reported that they had compared and found truly enrolled the following bills entitled acts, viz:

An act appointing commissioners to relocate the seat of justice of Crawford county and for other purposes.

An act legalizing certain proceedings of the board of county commissioners of Vigo county.—Also,

A joint resolution concerning the public debt.—And

A memorial of the General Assembly of the state of Indiana to the Congress of the United States.

The engrossed bill from the House of Representatives entitled An act to amend the act entitled an act for the limitation of criminal prosecutions, approved January 22d, 1820; was according to order taken up in committee of the whole. Mr. Gregory in the chair, and after some time spent therein, the committee rose, and the bill was reported to the Senate with an amendment, by striking it out from the enacting clause.—And

On motion by Mr. Cotton—

Resolved, That the further consideration of the bill be indefinitely postponed.

The bill dissolving the bonds of matrimony between Lillian Hoffman and Sally Melott, was according to order taken up in committee of the whole. Mr. Daniel in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate without amendment.

On motion,

Ordered, That the bill be engrossed for a third reading on to-morrow.

On motion,

Ordered, That the Senate adjourn until this afternoon 2 o'clock.

TUESDAY AFTERNOON, Dec. 18th, 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Baird now presented the petition of John McDonald and William M. Cartney, praying that they be authorized to lease section No. 16 in township No. 18, north of range 7 east, from the state for ten years. Which was read.

On motion—

Ordered, That the petition be referred to a select committee to consider and report thereon.

Whereupon,

Messrs. Baird, Conner and Graham were appointed that committee.

The engrossed bill appropriating \$100,000 of the three per cent. fund, to the opening certain roads therein specified; was read the third time now.—And

Resolved, That the bill pass.

And the yeas and nays being demanded on the passage of the bill.—

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Bennett, Clark, Conner, Daniel, Graham, Gray, Gregory, Harrison, Haughlin and Slaughter 12.

And those who voted in the negative were,

Messrs. Blake, Cotton and Sholts S.

Ordered, That the bill be entitled an act authorising the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening said roads, and that Mr. Daniel inform the House of Representatives thereof, and request their concurrence therein.

A message from the House of Representatives by Mr. Lane a member.

Mr. President—

The Speaker of the House of Representatives having signed the following enrolled bills entitled acts, to wit:

“An act appointing commissioners to relocate the seat of justice of Crawford county and for other purposes.

An act legalizing certain proceedings of the county commissioners of Vigo county.

An act dissolving the bands of matrimony between Polly Jenkins, late Polly Heckey, from her husband Josiah Jenkins—And

A joint resolution respecting the public debt. I am instructed to lay the same before the Senate for the signature of the President.

And he withdrew.

The President having signed the said bills and joint resolution, they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

On motion—

The Senate reconsidered the vote given on the indefinite

postponement of the bill from the House of Representatives entitled an act to amend the act entitled an act for the limitation of criminal prosecutions, approved January 2nd, 1820, and the original motion for postponement was negatived.

The Senate refused to concur in the amendment made to the bill while in committee of the whole—And,

On motion—

Ordered, That the bill be read a third time on to-morrow.

The Senate now, according to order, resolved itself into a committee of the whole on the bill from the House of Representatives entitled an act to amend an act reducing into one all the acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery. Mr. Sholts in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate with sundry amendments thereto. Which amendments were concurred in—And,

On motion—

Ordered, That the bill be engrossed for a third reading on to-morrow.

A message from the House of representatives, by Mr. Thoraton their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act to amend the several acts for opening public roads and highways, which originated in the House of Representatives, and in which they request the concurrence of the Senate.

The bill was read the first and second times by consent

On motion—

Ordered. That the bill be referred to a committee of the whole and made the order of the day for to-morrow.

On motion,

Ordered. That the Senate adjourn until to-morrow morning at nine o'clock.

WEDNESDAY MORNING, Dec. 19th, 1831, 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Gregory submitted the following resolution, viz:

Resolved. That a committee be appointed to draft and report to the Senate a memorial to the Congress of the United States to establish one or more public depots on the Ohio river in this state, where they may receive flour, beef, pork, whiskey, &c. for the army and navy of the United States, and request the appointment of a contractor in this state who may contract for the same.

Which was rejected.

Mr. Slaughter moved to discharge the committee of ways and means from any further services during the present session.

Which motion was negatived.

On motion by Mr. Grayham—

The Senate reconsidered the vote given on their noncon-
currence in the report made by the committee of ways and
means upon the tender made by the treasurer of state of
a certain sum of money due by the state to the state bank—
And,

Mr. Graham moved to amend the report as follows, viz.

“That the treasurer of state has in part discharged the
duties assigned him by the act of assembly, approved the
21st day of December 1831, having tendered \$10,000 in
discharge of a bond which will be due on the last day of
this instant, as will appear by his report: the balance of
the debt not having been due was not tendered and yet re-
mains unpaid.

Mr. Harrison moved that the report be recommitted to
the committee of ways and means.

Which was negatived.

The question being taken upon the amendment, it was
decided in the negative, and the original report was not
concurred in.

The yeas and nays being demanded by two members.

Those who voted in the affirmative were,

Messrs. Baird, Clark, Conner, Daniel, Gray, Gregory
and Laughler—7.

And those in the negative were,

Messrs. Bartholomew, Bennett, Blake, Cotton, Graham,
Harrison, Laughlin and Sholis—8.

The engrossed bill dissolving the bonds of matrimony
between Limon Boman and Sally Melott, was read the
third time to-day—And,

Mr. Shotts moved to postpone the further consideration of the bill indefinitely.

Which was negatived.

Resolved, That the bill pass.

Ordered, That the title thereof be, "An act dissolving the bonds of matrimony between Liman B. Swan and Sally McLean," and that Mr. Slaughter inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill from the House of Representatives entitled "an act authorising the writ of replevin" was read the third time to-day—And,

Resolved, That the same pass.

Ordered, That Mr. New inform the House of Representatives thereof.

The engrossed bill from the House of Representatives, entitled an act to amend the act entitled an act for the institution of criminal prosecutions, approved January 23d, 1820, was read the third time to-day—And,

Resolved, That the same pass.

Ordered, That Mr. New inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled an act to amend the act reducing into one all acts and parts of acts in this state regulating proceedings in actions at law and suits in chancery, was read the third time to-day—And,

Resolved, That the same pass as amended.

Ordered, That Mr. New inform the House of Represent-

tatives thereof, and request their concurrence in the several amendments.

The Senate now resolved itself into a committee of the whole on the bill repealing part of an act authorising the building of a state prison at Jeffersonville, Mr. Harrison in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate without amendment.

Mr. Clark moved to postpone the further consideration of the bill indefinitely.

Which was rejected.

On motion,

Ordered, That the bill be engrossed for a third reading on to-morrow.

On motion—

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

WEDNESDAY AFTERNOON, Dec. 19th, 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Baird from the committee to whom was referred, the petition of John M. Donald and William M. Cartney, praying a lease of section No. 16, in township No. 18, north of range 7 east, now reported a bill for that purpose. Which was read the first and second times by consent—And,

On motion,

Ordered, That the bill be committed to a committee of the whole and made the order of the day for to-morrow.

The Senate now resolved itself into a committee of the whole on the engrossed bill from the House of Representatives entitled "an act for the better regulation of the militia of the state of Indiana, Mr. Slaughter in the chair and after some time spent therein the committee rose and leave was granted to sit again.

On motion,

Ordered, That the Senate adjourn until this evening six o'clock.

Wednesday Evening 6 o'clock, Dec. 19, 1821.

The Senate assembled pursuant to adjournment.

On motion,

Ordered, That the Senate adjourn until to-morrow morning nine o'clock.

THURSDAY MORNING, Dec. 20th, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Graham from the committee of free conference on the part of the senate, appointed on the subject matter of difference between the two Houses, on the amendment made by the senate to the engrossed bill from the House of Representatives entitled "an act for the relief of James Besse and John Eastburn now reported that the committee had agreed to insert "one hundred and fifty dollars," instead of "one hundred dollars."

On motion,

The senate concurred in said report.

Ordered, That Mr. Graham inform the House of Representatives thereof.

Mr. Laughlin from the committee to whom was referred, the petition of the members of the Methodist episcopal church at Brookville, now reported, that the committee were of opinion that the laws now in force are amply sufficient to embrace the objects contemplated by the petitioners.

On motion ~

The Senate concurred in said report.

A message from the House of Representatives, by Mr. Johnston a member, announcing that the speaker of the House of Representatives had signed six memorials of the General Assembly of the state of Indiana to the Congress of the United States, and requesting the signature of the President thereto.

The President of the Senate having signed the same.

Ordered, that Mr. Blake inform the House of Representatives thereof.

Mr. Gray now obtained leave to introduce a bill providing for the collection of fines in certain cases, which was read the first and second times by consent—And,

On motion—

Ordered, That the bill be committed to a committee of the whole and made the order of the day for to-morrow.

A message from the House of Representatives, by Mr. Tipton, a member,

Mr. President—

[The House of Representatives have concurred in the re.

part of the committee of free conference appointed on the subject of the difference between the two Houses on the bill for the relief of James Besse and John Eastburn.

And he withdrew.

The Senate resumed in committee of the whole, the further consideration of the bill from the House of Representatives entitled an act for the better regulation of the militia of the state of Indiana. Mr. Slaughter in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate with sundry amendments thereto, which amendments were concurred in.

A message from the House of Representatives by Mr. Ross their assistant clerk.

Mr. President,

The House of Representatives have concurred in all the amendments made by the Senate to the engrossed bill from the House of Representatives entitled an act to amend the act reducing into one all the acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery, except the amendment made by striking out the 4th section and inserting one in lieu thereof—And,

On motion,

The Senate now recessed from their said amendment.

Ordered, That Mr. Blake inform the House of Representatives thereof.

The Senate now resolved themselves into a committee of the whole on the bill authorising John McDonald and William M. Cartney to erect mills on Fall creek at the falls thereof, Mr. Clark in the chair, and after some time spent

therein the committee rose and the bill was reported to the Senate with several amendments thereto.

Which amendments were concurred in.

On motion,

Ordered, That the bill be engrossed for a third reading to-morrow.

A message from the Governor, by Mr. Moore, his private secretary, announcing that he did on Monday last approve and sign an act concerning lands granted for the use of salt springs, which originated in the Senate.

On motion—

Ordered, That the Senate adjourn until this afternoon two o'clock.

THURSDAY AFTERNOON, Dec. 20. 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

“The bill for the better regulation of the militia of the state of Indiana,” from the House of Representatives, was now taken up.

On motion of Mr. Bartholomew—

The bill was amended by striking out from the word “classes” in the 52d section, to the word “troops.”

On motion,

Ordered, That the bill be read a third time now.

The bill was read the third time as amended—And,

Resolved, That the same pass.

The yeas and nays being demanded on the passage of the bill, those who voted in the affirmative were Messrs. Bartholomew, Blake, Clark, Conner, Cotton, Daniel, Graham, Gray, Harrison, Laughlin and Sholts—11. And in the negative were Messrs. Bennett and Gregory—2.

Ordered, That Mr. Morrison inform the House of Representatives thereof, and request their concurrence in the amendments.

The Senate now resolved itself into a committee of the whole, on the engrossed bill from the House of Representatives entitled an act to amend the several acts for opening and repairing roads and high-ways, Mr. Conner in the chair, and after some time spent therein, the committee rose and leave was granted to sit again.

The engrossed bill authorising John McDonald and William McCartney, to erect mills on Fall creek at the falls thereof, was read the third time.—And

Resolved, That the same pass.

Ordered, That the bill be entitled “an act authorising John McDonald and William McCartney to erect mills on Fall creek at the falls thereof.

Ordered, That the Secretary inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill to repeal part of an act authorising the building of a state prison and for other purposes, was read the third time—And,

Resolved, That the same pass.

Ordered, That the bill be entitled an act to repeal part of

an act authorising the building of a state prison and for other purposes.

The yeas and nays being demanded on the passage of the bill,

Those who voted in the affirmative were,

Messrs. Baird, Blake, Daniel, Graham, Gray, Gregory, Harrison, Slaughter and Sholts 9.

And those in the negative were,

Messrs. Clark, Conner, Cotton and Bartholomew 4.

Ordered, That Mr. Graham inform the House of Representatives of the passage of the bill and request their concurrence therein.

The Senate now resumed in committee of the whole, the further consideration of the bill for dividing this state into Congressional districts, for the election of members to the Congress of the United States, Mr. Clark in the chair, and after some time spent therein, the committee rose and the bill was reported with sundry amendments.

Which amendments were separately considered, and concurred in.

Mr. Daniel moved to attach the county of Crawford to the western Congressional district, by amending the first section of the bill.

Which amendment was rejected.

On motion,

Ordered, That the bill be engrossed for a third reading on to-morrow.

Ordered, That the Senate adjourn until 9 o'clock to-morrow morning.

FRIDAY MORNING, Dec. 21st, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Bartholomew now presented the petition of John Fiscall, of Jeffersonville, praying that he may be authorised to keep a ferry on the Ohio river, from Jeffersonville direct to the Kentucky shore.

Which was read.—*And*

On motion,

Ordered, That the petition be referred to a select committee to consider and report thereon.

Whereupon,

Messrs. Bartholomew, Baird, and Bennett, were appointed that committee.

Mr. Clark now obtained leave to introduce a joint resolution authorising and requiring the Governor to withdraw a certain deposit from the state bank, and Corydon branch bank, and to deposit the same in the state treasury, &c.

Which was read the first and second times by consent.—*And*

On motion—

Ordered, That the same be referred to a committee of the whole and made the order of the day for to-morrow.

The Senate now resolved themselves into a court of impeachment for the trial of Aaron Vandever, justice of the peace of Washington county, and again resumed their senatorial character.

Mr. Blake now according to notice introduced a bill for the relief of John T. Chunn.

Which was read the first and second times by consent.—*And*

On motion—

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-morrow.

On motion,

The Senate again resumed in committee of the whole the further consideration of the bill from the House of Representatives, entitled an act to amend the several acts for opening and repairing roads and highways, Mr. Conner in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with sundry amendments thereto.

Which amendments were ordered to be considered separately.

On motion—

Ordered, That the bill lie on the table.

On motion,

Ordered, That the Senate adjourn until this afternoon 4 o'clock.

FRIDAY AFTERNOON, Dec. 21st, 1821—2 o'clock.

The Senate assembled pursuant to adjournment.

The Senate now resolved themselves into a court of impeachment, for the trial of Aaron Vandever, and again resumed their Senatorial character.

On motion—

Ordered. That the Senate adjourn until to morrow morning 9 o'clock.

SATURDAY MORNING, Dec. 22d, 1821—9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Daniel moved that the Senate adopt the following resolution, viz :

Resolved, That it is the opinion of the Senate that the President thereof has the right by the Constitution, of giving the casting vote in the trial of all impeachments before the Senate, when the votes are equally divided.

Which resolution was adopted, ayes 8 noes 7.

And the yeas and nays being demanded by two members:

Those who voted in the affirmative were,

Messrs. Bartholomew, Bennett, Blake, Clark, Cotton, Gonner, Laughlin and Sholts 8.

And those who voted in the negative were,

Messrs. Baird, Daniel, Graham, Gray, Gregory, Harrison, and Slaughter 7.

On motion—

The Senate again resolved themselves into a court of impeachment, for the trial of Aaron Vandever, a justice of the peace for Washington county, and again resumed their Senatorial character.

On motion—

The Senate again proceeded to consider the amendments made to the bill from the House of Representatives entitled an act to amend the several acts for opening public roads & highways.—And

The amendments made in committee of the whole were concurred in.

Mr. Daniel moved to amend the said bill by adding the following as a section :

That the county Commissioners shall so district the several roads and hands, as that the same hands shall not be subject to work under two supervisors in the same year.

Which amendment was adopted.

On motion—

Ordered. That the Senate adjourn until this afternoon 2 o'clock.

SATURDAY Afternoon, Dec. 23th, 1821—2 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Harrison now obtained leave to introduce a bill authorising the office of attorney general, and providing for the appointment of that officer.

Which was read the first and second times by consent.
And

On motion—

Ordered. That the bill be committed to a committee of the whole, and made the order of the day for Monday next.

Mr. Harrison from the committee to whom was referred the message of his Excellency the governor, on the demand made by him of certain fugitives from the justice of this state; together with a communication from John Quincy Adams, Secretary of the United States on the same subject, now submitted the following report:

Mr. President—

Your committee to whom was referred the communication of his Excellency the governor, together with a letter of correspondence from the Secretary of the United States, in relation to a demand made by the executive of this state, of the executive of the state of Kentucky, for the delivery of certain fugitives from the justice of this state; have had the subject under consideration, and submit the following report:

Your committee find from an investigation of the subject referred to them, that certain individuals resident of the state of Kentucky, were indicted in the Harrison Circuit court for a breach of a penal law of the state of Indiana. That the Executive of this state repeatedly and in a legal manner called upon the Executive of Kentucky for a surrender of those persons to the justice of this state. That after much delay and equivocation on the part of the Executive of Kentucky, the subject was submitted by him to the legislature of that state, who after a laborious report refused to surrender the persons thus demanded.

Upon what principle of law or morality the refusal of the legislature of Kentucky may have been grounded, your

committee will not at this time undertake to investigate concerning the subject fully, supported by a report of a joint committee on the same subject, submitted and agreed to at the last session of the General Assembly of this state, in which report the Executive was requested to lay the same before the President of the United States, requesting the general government to interpose her authority to render to this state that justice, which has been denied on the part of Kentucky.

Your committee find from a further investigation, that the Executive of this state has promptly complied with the requisitions enjoined upon him by said report, and have here to regret, that a subject of such vital importance to the character and dignity of the state, has not been answered by the President of the United States as appears from the documents before your committee.

Your committee conclude by recommending the adoption of the following resolution, viz:

Resolved. That the chief Executive of this state be and he is hereby requested to renew his application to the President of the United States, in relation to the foregoing subject.
All which is respectfully submitted.

E. HARRISON, Chair'n.

On motion—

Resolved. That the Senate concur in said report.

The yeas and nays being demanded by two members.—

Those who voted in the affirmative were,

Messrs. Baird, Conner, Cotton, Graham, Gregory, Harrison, Laughlin and Shotts &c.

And those in the negative were,

Messrs. Bartholomew, Bennett, Blake, Clark, Daniel, Gray and Slaughter ?

On motion—

The Senate again resumed the consideration of the engrossed bill from the House of Representatives, entitled an act to amend the act for repairing public roads and highways.—And

On motion by Mr. Harrison—

The 11th section was amended by adding the following viz :

And that said Commissioners shall so divide the streets in any town as to equally proportion the same to the different roads leading from such town, in order that the same may be worked accordingly in proportion with such roads.

On motion—

Ordered. That the amendments be engrossed for a third reading on Monday next.

On motion by Mr. Slaughter—

Ordered. That the engrossed bill for dividing the state into Congressional districts, for the election of members of Congress to the United States, be recommitted to a committee of the whole and made the order for this day.—And

On motion—

The Senate now resolved itself into a committee of the whole, on the said bill. Mr. Canner in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with an amendment.

Which amendment was concurred in.

Mr. Harrison moved to amend the bill by striking "Harrison and Crawford" out of the 2d section, and inserting the same in the 1st section.

And the yeas and nays were demanded by two members on the adoption of the amendment.

On motion—

Ordered, That the bill lie on the table.

Mr. Blake from the committee for enrolled bills, reported that they had compared and found truly enrolled bills entitled acts, viz :

An act authorising the writ of replevin.

An act for the relief of James Besse and John Eastburn.

An act to amend the act entitled an act for the limitation of criminal prosecutions, approved January 22d, 1820.—And

An act to amend the act reducing into one all the acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery.—And

A joint resolution respecting the trial of the impeachment of Curtis Gilbert, clerk of the circuit court of Vigo county.

A message from the House of Representatives by Mr. Lane a member, announcing that the Speaker of the House of Representatives had signed the four last mentioned bills, entitled acts, and a joint resolution ; reported truly enrolled by Mr. Blake, and requesting the signature of the President thereto.

The President having signed the same they were severally handed to the committee for enrolled bills, to be presented to the governor for his approval and signature.

A message from the House of representatives, by Mr. Thornton their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act authorising John M. Donald and William M. Carney, to erect mills upon Fall creek at the falls thereof.

Which originated in the Senate.

They have also passed the following engrossed bills entitled acts, which originated in the House of Representatives, and in which they request the concurrence of the Senate viz:

“An act providing for the election of president and trustees for the Monroe county library.

An act for the relief of Robert Gray and Reuben H. Murray.

An act attaching part of Switzerland county to the county of Ripley.

An act for the formation of a new county out of the county of Delaware.

An act attaching part of Posey county to Gibson county.”

They have also received official information, from his Excellency the Governor, that he did on the 17th instant approve and sign—

—An act to dissolve the bonds of matrimony between Catherine Sellers, late Catherine M. Pitt, and her husband Nathan Sellers.

An act supplementary to an act entitled an act for the relief of the poor—And,

An act establishing a system of state laws in this state,

All which originated in the House of Representatives.

And he withdrew.

The said five engrossed bills last reported from the House of Representatives by Mr. Thornton, were severally read the first and second times by consent—And,

On motion—

Ordered, That they each be committed to a committee of the whole and made the order of the day for Monday next.

The Senate according to order, resolved itself into a committee of the whole, on the bill for the relief of John T. Chunn, Mr. Bartholomew in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate without amendment.

On motion,

Ordered, That the bill be engrossed for a third reading on Monday next.

A message from the governor by Mr. Moore his private secretary.

Mr. President,

I am directed by his Excellency the Governor, to lay before the Senate the following communication in writing, viz.

To the Senate and House of Representatives.

Pursuant to an application respectable and consonant in its character, I submit to the General Assembly in communication, the request the propriety of appointing, fasting and humiliation and prayer to Almighty God, that he

would avert these judgments that have impended our land,
and may he would in his manifold mercies, bless our coun-
try with fruitful seasons and our citizens with health.

JONATHAN JENNINGS.

Corydon, Dec. 22 1821.

On motion by Mr. Graham—

Ordered, That the communication lie on the table.

On motion,

Ordered, That the Senate adjourn until Monday morning
9 o'clock.

MONDAY MORNING, Dec. 24th, 1821.

The Senate assembled pursuant to adjournment.

Mr. Bartholomew from the committee to whom was re-
ferred the petition of John Fischli, praying the right of
keeping a ferry from the town of Jeffersonville to the Ken-
tucky shore, now reported a bill for that purpose, which
was read—And,

On motion,

Ordered, That the bill pass to a second reading on to-
morrow.

Mr. Shotts from the committee to whom was referred,
the expediency of reporting a bill appointing commission-
ers to examine the falls of White river, now reported a bill
for that purpose, which was read the first and second times
by consent—And,

On motion,

Ordered, That the bills be committed to a committee of
the whole and made the order of the day for to-morrow.

On motion by Mr. Daniel—

Resolved, That the Senate adjourn on Friday next, pre-
cisely at 12 o'clock, *sine die* and that the House of Repre-
sentatives be informed thereof, and a similar resolution on
their part requested,

Ordered, That Mr. Daniel inform the House of Repre-
sentatives thereof.

On motion,

Ordered That the record of the trial of Curtis Gilbert
clerk of the circuit court of Vigo county; and also the re-
cord of the trial of Aaron Vandever a justice of the peace of
Washington county, on articles of accusation and impeach-
ment preferred against each of the said officers by the
House of Representatives and tried by the Senate be sub-
joined to the journals and added as an appendix thereto.

On motion,

It is further ordered that the report of the committee on
education be subjoined to the journals and added as an ap-
pendix thereto.

The engrossed bill from the House of Representatives en-
titled an act to amend the several acts for opening public
roads and highways, was read the third time as amended—
And,

Resolved, That the same pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Bennett, Clark, Conner, Daniel, Graham, Gray, Harrison, Laughlin and Slaughter—10.

And those in the negative were,

Messrs. Baird, Blake, Cotton, Gregory and Shotts—5.

Ordered, That Mr. Daniel, inform the House of Representatives thereof and request their concurrence in the several amendments.

The Senate now according to order resolved themselves into a committee of the whole on the joint resolution authorizing and requiring the Governor to draw from the Bank of Vincennes and the Corydon Branch Bank, the balance of the three per cent. fund deposited in said banks, and deposit the same in the state treasury. Mr. Graham in the chair, and after some time spent therein the committee rose and the resolution was reported to the Senate with an amendment, by striking it out from its resolving clause—
A.

On motion by Mr. Harrison—

Resolved, That the further consideration of the resolution be indefinitely postponed.

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Bennett, Daniel, Gray, Gregory, Harrison, Laughlin and Slaughter—8.

And those in the negative were,

Messrs. Baird, Blake, Clark, Cotton, Graham and Shotts—6.

The Senate now, according to order, resolved themselves into a committee of the whole, on the bill divorcing Sally M. Mosely from her husband, Fielding G. Mosely. Mr. Laughlin in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate without amendment.

On motion,

Ordered, That the bill be engrossed for a third reading on to day.

A message from the House of Representatives by Mr. Johnston of Knox, a member.

Mr. President—

The House of Representatives have passed the engrossed bills from the Senate entitled an act for the formation of a new county out of the counties of Delaware and Wabash, and an act for the formation of a new county out of the counties of Vigo and Owen and north of Owen, with sundry amendments to each of the said bills, in which amendments they request the concurrence of the Senate. They have also passed the four following engrossed bills entitled acts, which originated in the House of Representatives, and in which bills they request the concurrence of the Senate, viz.

1st. An act for the formation of Henry county out of the county of Delaware.

2d. An act for the formation of Marion county north of Bartholomew county.

3d. An act for the formation of a new county west of Franklin and Fayette.

4th. An act for the formation of a new county north of Jennings county.

And he withdrew.

On motion,

The Senate proceeded to consider the amendments made by the House of Representatives to the two bills from the Senate, by Mr. Johnston. And the amendments to each of said bills were separately concurred in.

Ordered. That Mr. Wick inform the House of Representatives thereof.

The four engrossed bills last reported from the House of Representatives, by Mr. Johnston, were severally read the first and second times by consent—And,

On motion—

Ordered. That each of the bills be committed to a committee of the whole and made the order of the day for to-morrow.

On motion—

Ordered. That the Senate adjourn until 2 o'clock this afternoon.

MONDAY AFTERNOON, Dec. 24th, 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

The Senate now resolved themselves into a committee of the whole on the bill providing for the collection of fines in certain cases, Mr. Cotton in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate with an amendment thereto—And,

Mr. Harrison moved to postpone the further consideration of the bill indefinitely. Which motion was negatived.

On the question being put, Will the Senate concur in the amendment thereto in committee of the whole? a division

of the question was called for and the question being taken on striking out the first section—and the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bennett, Blake, Clara, Graham, Harrison and Shotts—7.

And those who voted in the negative were,

Messrs. Bartholomew, Cotton, Conner, Daniel, Gray, Gregory, Laughlin and Slaughter—8.

And the Senate refused to concur in the residue of the amendments.

On motion—

Ordered. That the bill be considered as engrossed and read a third time on to-morrow.

The engrossed bill from the House of Representatives entitled an act for the relief of Robert Gray and Reuben H. Murray, was taken up in committee of the whole, Mr. Bennett in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate with an amendment.

The amendment was rejected.

And the yeas and nays being demanded by two members, on the concurrence of the amendment, which amendment was the striking out of the word 'five' and inserting 'eight' in the first section,

Those who voted in the affirmative were,

Messrs. Bartholomew, Blake, Daniel, Gray, Gregory, Slaughter and Shotts—7.

And in the negative were,

Messrs. Baird, Bennett, Conner, Cotton, Clark, Graham, Harrison and Laughlin.—3.

Mr. Clark moved to amend the 1st section, by striking out "five hundred" and inserting the following: "six per cent. per annum, from the 24th day of November 1821, until the sum of \$3,000, the sum appropriated by the state be paid." Which amendment was rejected.

Mr. Bartholomew moved to strike out "five" in the first section, and insert "seven."

Which amendment was rejected.

Mr. Graham moved to amend the first section, by striking out "five hundred" and inserting "ten per cent." Which was rejected.

Mr. Baird moved to postpone the further consideration of the bill indefinitely.

And the yeas and nays being demanded by two members, Those who voted in the affirmative were,

Messrs. Baird, Bennett, Clark and Harrison.—4.

And in the negative were,

Messrs. Bartholomew, Blake, Conner, Cotton, Daniel, Gray, Graham, Gregory, Laughlin, Shotts and Slaughter.

On motion—

Ordered, That the bill be engrossed for a third reading on to-morrow.

A message from the House of Representatives, by Mr. Lane a member.

Mr. President—

The House of Representatives have concurred in the amendment made by the Senate to the bill from the House of Representatives entitled an act to amend the several acts for opening and repairing public roads and highways, which amendment was the striking out of the word, "county" and inserting the word "district," and have rejected all the balance.

Mr. Daniel moved to insist upon the amendments made by the Senate to the bill. Which motion was negatived.

Ordered, That Mr. Cotton inform the House of Representatives that the Senate have receded from their amendments.

A message from the House of Representatives, by Mr. Reed, a member.

Mr. President,

The House of Representatives have passed the engrossed bill from the Senate, entitled an act requiring public officers to give further security when the original shall remove or become insolvent or insufficient, without amendment.

A message from the Governor, by Mr. Moore, his private secretary.

Mr. President—

I am requested by his Excellency the Governor, to announce to the Senate, that he did on this day, approve and sign—

An act dissolving the bans of matrimony between Polly Jenkins and her husband Josiah Jenkins, which originated in the Senate.

The engrossed bill divorcing Sally M. Mosely from her husband Fiddling G. Mosely, was read the third time—and,

Resolved, That the same pass.

Ordered, That the title thereof be an act divorcing Sally M. Mosely from her husband Fielding G. Mosely, and that Mr. Graham inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill for dividing the state into Congressional districts for the election of representatives to the Congress of the United States, was read the third time—

Resolved, That the same pass,

Ordered, That the title thereof be an act for dividing the state into Congressional districts for the election of members to the Congress of the United States, and that Mr. Cotton inform the House of Representatives thereof and request their concurrence therein.

The Senate now resolved themselves into a committee of the whole on the engrossed bill from the House of Representatives entitled an act providing for the election of president and trustees of the Monroe county library. Mr. Blake in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate without amendment.

On motion, and by consent, the said bill was read the third time now—And,

Resolved, That the same pass.

Ordered, That Mr. Daniel inform the House of Representatives thereof.

On motion by Mr. Cotton—

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the House of Representatives entitled an act attaching part of Swift-zerland county to Ripley county—And,

The bill was read the third time now—And,

Resolved, That the bill pass.

And the yeas and nays being demanded by two members.

Those who voted in the affirmative were,

Messrs. Baird, Blake, Cotton, Clark, Daniel, Graham, Gray, Gregory, Harrison, Laughlin, Sholts and Slaughter
13—

And in the negative were,

Messrs. Bartholomew and Bennett—2.

Ordered, That Mr. Cotton inform the House of Representatives thereof.

The Senate now resolved themselves into a committee of the whole, on the bill authorising the office of attorney general, and providing for the appointment of that officer, Mr. Gray in the chair: and the committee rose and leave was granted to sit again.

On motion—

Ordered, That the Senate adjourn until to-morrow morning nine o'clock.

TUESDAY MORNING, Dec. 25th, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Daniel now submitted a joint resolution to the Con-

of the United States, on the subject of the battle ground at Tippecanoe. Which was read the first and second times by consent—And,

On motion,

Ordered. That the joint resolution be committed to a committee of the whole and made the order of the day for this day.

The Senate according to order, resolved themselves into a committee of the whole on the said resolution, Mr. Baird in the chair, and after some time spent therein, the committee rose and the resolution was reported to the Senate with several amendments thereto.

On motion by Mr. Harrison—

Ordered. That the resolution be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Daniel, Blake and Harrison, were appointed that committee.

Mr. Harrison now obtained leave, according to previous notice, to introduce a bill repealing part of an act declaring certain streams navigable. Which was read the first and second times, by consent—And,

On motion—

Ordered. That the bill be engrossed for a third reading on to-morrow.

The engrossed bill for the relief of John T. Chunn, was read the third time—And,

Resolved. That the same pass.

Ordered. That Mr. Blake inform the House of Representatives hereon and request their concurrence therein, and that the title thereof be "an act for the relief of John T. Chunn."

"The engrossed bill providing for the election of a president and trustees for Monroe county library," from the House of Representatives, was read a third time now—And,

Resolved. That the same pass.

Ordered. That Mr. Blake inform the House of Representatives thereof.

"The engrossed bill providing for the collection of fines in certain cases," was read a third time—And,

Resolved. That the bill pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Clark, Conner, Cotton, Gray, Gregory, Laughlin and Slaughter—8.

And those in the negative were,

Messrs. Baird, Bennett, Blake, Graham, Harrison and Shotts—6.

Ordered. That the bill be entitled "an act providing for the collection of fines in certain cases," and that Mr. Graham inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill from the House of Representatives entitled "an act for the relief of Robert Gray and Reuben H. Murray," was read a third time—And,

Resolved. That the bill pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Blake, Clark, Conner, Cotton, Graham, Gray, Gregory, Harrison, Laughlin, Sholts and Slaughter--14.

And those in the negative were,

Messrs. Baird and Bennett--2.

Ordered, That Mr. Bartholomew inform the House of Representatives thereof.

The Senate again resumed in committee of the whole, the further consideration of the bill authorising the office of attorney general and providing for the appointment of that officer. Mr. Gray in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate with an amendment.

Which amendment was rejected.

Mr. Daniel moved to amend the bill by adding the following as an additional section, viz.

"That a prosecuting attorney for each circuit in this state, shall be appointed by the circuit judge of the proper circuit, to hold the office for one year, who shall receive for his services four hundred dollars per annum, to be paid by the counties *pro rata* composing said circuits. And should any person appointed as aforesaid, refuse to attend any court in their respective circuit, the president judge shall proceed to appoint one to fill such vacancy."

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Conner, Daniel and Gregory--3.

And those who voted in the negative were,

Messrs. Baird, Bartholomew, Bennett, Blake, Clark, Cotton, Graham, Gray, Harrison, Laughlin, Sholts and Slaughter--12.

And so the amendment was rejected.

On motion,

Ordered, That the bill be engrossed for a third reading on to-day.

On motion--

Ordered, That the Senate adjourn until this afternoon two o'clock.

TUESDAY AFTERNOON, Dec. 25th, 1821--2 o'clock.

The Senate assembled pursuant to adjournment.

The bill authorising commissioners to examine the falls on White river, was ordered to lie on the table.

The engrossed bill authorising the office of attorney general, and providing for the appointment of such officer, was read a third time, and the yeas and nays being demanded on the passage thereof by two members,

Those who voted in the affirmative were,

Messrs. Blake, Bartholomew, Bennett, Cotton, Harrison, Slaughter, Laughlin and Sholts 8.

And those in the negative were,

Messrs. Baird, Clark, Conner, Daniel, Graham, Gray and Gregory 6.

And so the bill passed.

Ordered. That the title thereof be An act authorising the office of attorney general, and providing for the appointment of such officer.

Ordered. That Mr. Harrison inform the House of Representatives thereof, and request their concurrence therein.

On motion,

The Senate now resolved themselves into a committee of the whole, on the five following engrossed bills from the House of Representatives, entitled as to wit:

An act for the formation of Marion county north of Bartholomew.

An act for the formation of Henry county out of the county of Delaware.

An act for the formation of a new county west of Franklin and Fayette.

An act for the formation of Decatur county north of Jennings county.—And

An act for the formation of a new county out of the county of Delaware; Mr. Graham in the chair, and after some time spent therein, the committee rose and leave was granted to sit again.

On motion,

Ordered. That the Senate adjourn until to-morrow morning at nine o'clock.

WEDNESDAY MORNING, Dec. 26th, 1821. 9 o'clock.

The Senate assembled pursuant to adjournment.

The engrossed bill repealing part of an act declaring certain streams therein named navigable, was read the third time.—And

Resolved. That the bill pass.

Ordered. That the title thereof be an act to repeal part of an act declaring certain streams navigable, and that Mr. Harrison inform the House of Representatives thereof, and request their concurrence therein.

The bill authorising John Fischli to keep a ferry from the town of Jeffersonville across the Ohio river, was read a second time.—And

On motion—

Ordered. That the bill be considered as engrossed and read a third time to-day.

The Senate again resumed in committee of the whole, the further consideration of the five engrossed bills from the House of Representatives, for the formation of new counties out of the new purchase, Mr. Graham in the chair, and after some time spent therein, the committee rose; and the bill for the formation of Centre county out of the county of Delaware; and the bill for the formation of Marion county, now reported to the Senate with sundry amendments; and the bills for the formation of Rush, Henry and Decatur counties, were severally reported without amendment.

The Senate concurred in all the amendments made to the said two first bills.

Ordered. That the title of the engrossed bill entitled an act for the formation of Marion county north of Bartholomew county be An act for the formation of Shelby county north of Bartholomew county.

On motion,

Ordered, That the said five bills be read a third time to-day.

Mr. Shotts from the committee to whom was referred the petition of sundry inhabitants of Dubois county, praying to be attached to the county of Martin, now reported a bill for that purpose, which was read the first and second time by consent—And

On motion—

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-day.

The engrossed bill authorizing John Fischli to keep a ferry from Jeffersonville across the Ohio river, was read the third time and rejected.

On motion,

ORDERED, That the Senate adjourn until this afternoon.

Wednesday Afternoon 2 o'clock, Dec. 26, 1821.

The Senate assembled pursuant to adjournment.

The engrossed bill from the House of Representatives entitled an act for the formation of Henry county out of the county of Delaware, was read the third time—And

Resolved, That the bill pass.

The engrossed bill from the House of Representatives entitled an act for the formation of a new county west of Franklin and Fayette, was read the third time—And

Resolved, That the bill pass.

The engrossed bill from the House of Representatives entitled an act for the formation of Deater county, north of Jennings county, was read the third time—And

Resolved, That the bill pass.

The engrossed bill from the House of Representatives entitled an act for the formation of Shelby county north of Bartholomew county, was read the third time as amended.—And

Resolved, That the bill pass.

The engrossed bill from the House of Representatives entitled an act for the formation of a new county out of Delaware county, was read the third time as amended—And

Resolved, That the bill pass.

Ordered, That Mr. New inform the House of Representatives of the passage of the said bills & request their concurrence in the amendments made to the two last mentioned bills.

A message from the House of Representatives by Mr. Merrill a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act providing for additional trustees for the state Seminary and for other purposes, in which they request the concurrence of the Senate.

And he withdrew.

The bill was read the first and second times to-day.—And

Ordered, To be read a third time on to-morrow.

A message from the House of Representatives by Mr. Thornton their assistant clerk.

Mr. President—

The House of Representatives have passed the engrossed bill entitled An act attaching part of Wabash county to Owen county and for other purposes ; which originated in the Senate without amendment.

They have also passed an engrossed bill entitled an act for the relief of William H. Ewing, in which last mentioned bill they request the concurrence of the Senate.

The bill for the relief of William H. Ewing, was read three several times by consent—And

Resolved, That the same pass.

Ordered, That Mr. Graham inform the House of Representatives thereof.

Mr. Gregory obtained leave to introduce a bill for the formation of a new county out of Delaware and Wabash.

Which was read the first and second times by consent.—And

On motion—

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-morrow.

On motion by Mr. Graham—

Resolved, That hereafter it shall not be necessary to give notice of an intention to ask leave to introduce a bill or joint resolution.

The Senate now resolved themselves into a committee of the whole on the bill attaching part of Putnam county to

Martin county. Mr. Slaughter in the chair, and after some time spent therein, the committee rose and the bill was reported with an amendment thereto, by striking it out from its enacting clause.

Which amendment was concurred in.

Mr. Slaughter moved to postpone the further consideration of the bill until the first Monday in December next.

Which motion was adopted.

And the yeas and nays being demanded by two members, Those who voted in the affirmative were,

Messrs Baird, Bartholomew, Clark, Cotton, Daniel, Graham, Laughlin and Slaughter 8.

And those in the negative were,

Messrs. Bennett, Blake, Conner, Gregory, Harrison and Shotts 6.

Mr. Laughlin now presented the petition of Silas Roberts and others of Franklin county, praying the alteration of a road from Brookville to Indianapolis.

Which was read—And

On motion,

Ordered, That the same be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Laughlin and Blake, were appointed that committee.

On motion,

Ordered. That the Senate adjourn until to-morrow morning 9 o'clock.

THURSDAY Morning, Dec. 27th, 1821—9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Graham, from the committee for enrolled bills, reported that they had compared and found truly enrolled "an act for the better regulation of the militia," which originated in the House of Representatives.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives concur in the several amendments made by the Senate to the bill for the formation of a new county (named Marion) out of the county of Delaware. They also concur in the amendments made by the Senate to the engrossed bill entitled an act for the formation of a new county north of Bartholomew county (named Shelby) both of which originated in the House of Representatives. They have also passed the engrossed bill entitled an act authorizing the laying off certain roads and highways and appropriating \$100,000 of the three per cent. fund for opening said roads, which originated in the Senate, with several amendments in which they request the concurrence of the Senate.

A message from the House of representatives, by Mr. Johnston of Knox, announcing that the Speaker has signed the enrolled bill entitled an act for the better regulation of the militia of the state of Indiana, and requesting the signature of the President of the Senate thereto.

The President having signed the same, it was handed to the committee for enrolled bills, to be laid before the Governor for his approval and signature.

On motion—

The Senate proceeded to consider the amendments made by the House of Representatives to the engrossed bill from the Senate entitled "an act authorizing the laying off certain roads and appropriating \$100,000 of the three per cent fund for opening said roads; and the amendments were concurred in except the 4th amendment, which was rejected.

The 6th amendment was amended by adding an amendment thereto.

Mr. Cotton moved to amend the said bill by adding the following viz :

"That a road from Troy in Switzerland county, to Vevay; thence to the Jefferson line, on a direction to Madison, be and the same is hereby established, in length 22 miles, and six hundred dollars out of this money appropriated to the road from Vevay to Napoleon, be and the same is hereby appropriated to the same, and Elisha Golay, William Campbell and James Chamberlain, are hereby appointed commissioners on the same."

Which amendment was rejected.

The eleventh amendment was amended by adding an amendment thereto.

Ordered. That Mr. Harrison inform the House of Representatives thereof, and request their concurrence to the said two amendments to the amendments.

A message from the House of Representatives by Mr. Tipton, a member.

Mr. President—

The House of Representatives have passed a joint resolution providing for printing and distributing the militia law, and request the concurrence of the Senate thereto.

The said resolution was twice read by consent—And,

On motion—

Ordered, That the same be committed to a committee of the whole and made the order of the day for to-morrow.

A message from the House of Representatives, by Mr. Thornton, assistant clerk.

Mr. President,

The House of Representatives have passed an engrossed bill entitled an act to dissolve the bonds of matrimony between Lyman Beeman and Sally Beeman (late Sally Melott) his wife—which originated in the Senate, without amendment.

Mr. Harrison obtained leave to introduce a bill relative to the Adjutant General's office—which was twice read by consent—And,

On motion,

Ordered, That the bill be committed to a committee of the whole and made the order of the day for to-morrow.

On motion—

Ordered, That the Senate adjourn until this afternoon 3 o'clock.

THURSDAY AFTERNOON, Dec. 27, 1821, 3 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Harrison now according to previous notice, obtained leave to introduce a bill authorising the qualified voters of the different counties at their next August election to vote for or against a convention for a revision of the Constitution of this state.

Which was read the first and second times by consent.—And,

On motion,

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for to-morrow.

The engrossed bill from the House of Representatives entitled an act providing for additional trustees for the state Seminary and for other purposes, was read the third time.—And

Resolved, That the same pass.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Cotton—

Resolved, That the further consideration of the bill for the formation of a new county out of Delaware and Wabash, be postponed until the first Monday in December next.

On motion by Mr. Daniel—

Resolved, That the Senate will do business until ten o'clock at night, in order to an adjournment on Saturday next, and that the House of Representatives be informed thereof, and a similar resolution requested on their part.

Ordered, That Mr. Daniel inform the House of Representatives thereof.

Mr. Gregory obtained leave to introduce a bill giving the new Purchase a senator and two representatives, which was read once and rejected.

On motion by Mr. Blake—

The Senate reconsidered their vote on the rejection of a bill authorising John Fischli to keep a ferry from the town of Jeffersonville to the Kentucky shore.—And the bill was passed.

Ordered, That the title thereof be an act authorising John Fischli to keep a ferry at the town of Jeffersonville, and that Mr. Bartholomew inform the House of Representatives thereof, and request their concurrence therein.

On motion by Mr. Harrison—

The Senate adopted the following resolution, viz :

Whereas the Constitution of this state provides that the election for members to the General Assembly, Governor, Lieutenant Governor, members to Congress &c. shall be holden on the first Monday in August annually; and whereas in consequence of such provision it would be entirely impossible for the votes of each county to be taken at the county seat in one day, and thereby defeat the beneficial consequences which might result from having elections held at one place, in order that candidates for office might have it in their power to refute the falsehoods and misrepresentations which are too frequently circulated for the accomplishment of improper purposes.

Therefore be it resolved by the Senate, That it is inexpedient at this time to change the mode of voting to viva voce, and that the House of Representatives be informed thereof.—

And the yeas and nays being demanded by two members. Those who voted in the affirmative were,

Messrs. Baird, Blake, Conner, Cotton, Gray, Harrison, Laughlin and Shoits 8.

And those in the negative were,

Messrs. Bartholomew, Bennett, Clark, Daniel, Gregory Graham and Slaughter 7.

Mr. Slaughter presented the petition of Daniel Bell and others, praying that commissioners be appointed to examine and report to the board of county commissioners the best and most convenient route to Freshman's mills, and for the establishment of said road.

Which was read—And

On motion,

Ordered, That the same be referred to a select committee with leave to report thereon.

Whereupon,

Messrs. Slaughter and Bartholomew, were appointed that committee.

On motion—

Ordered, That the Senate adjourn until 9 o'clock to-morrow morning.

FRIDAY MORNING, Dec. 28th, 1821, 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Slaughter from the committee to whom was referred the petition of Samuel Bell and others, praying that commissioners may be appointed to examine the several routes for a road from Freshman's mills, and for the establishment of such road, now reported against resolution for that purpose.

Which was read twice by consent—And

On motion,

Ordered. That the same be recommitted to a select committee with instructions to frame a bill providing generally for all cases of the kind, and report the same on the first Monday in December next.

Mr. Baird obtained leave to introduce a bill, to regulate the payment and postage of letters addressed to the Secretary of state.

Which was read the first and second times by consent.—And

On motion,

Ordered. That the bill be committed to a committee of the whole on this day.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed the engrossed bills of the following titles, which originated in the Senate, viz :

An act repealing part of an act declaring certain streams navigable.

An act providing for the collection of fines in certain cases.

Both without amendment.

They have also passed an engrossed bill entitled an act to amend the several acts respecting replevins, executions and sales of property.

They have also passed an engrossed joint resolution recommending a day of fasting and prayer; in both of which they ask the concurrence of the Senate.

They concur in the amendments made by the Senate to the 6th and 14th amendments made by the House of Representatives to the engrossed bill entitled an act authorising the laying off certain roads in the state, and appropriating \$100,000 of the fund commonly called the three per cent. fund, for opening said roads; and they recede from the 4th amendment to said bill which was the striking out of the words 'Mock's ferry,' and inserting 'Northampton,' in the 10th section of said bill.

They have also passed the following resolution, viz :

Resolved. By the House of Representatives, (the Senate concurring therein) that the Secretary of state be requested to furnish the public printer with the acts of the present General Assembly, immediately after they are approved as the business of the present session progresses, and that the Senate be informed thereof, and their concurrence requested.

On motion by Mr. Graham—

Resolved. By the Senate (the House of Representatives concurring therein) that the Secretary of state be requested to furnish the public printer with certified copies of the acts of the present General Assembly, immediately after they may be approved, and that the House of Representatives be informed thereof, and their concurrence requested.

Ordered. That Mr. Graham inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled an act to amend the several acts respecting replevins, executions and sales of property, was read—And

On motion by Mr. Harrison—

Resolved. That the further consideration thereof be indefinitely postponed.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Blake, Cotton, Clark, Daniel, Graham, Harrison and Slaughter 2.

And those in the negative were,

Messrs. Bennett, Conner, Gray, Gregory, Laughlin and Shotts 6.

The joint resolution providing for printing and distributing the militia law, from the House of Representatives, was taken up in committee of the whole; Mr. Laughlin in the chair, and after some time spent therein, the committee rose and the resolution was reported to the Senate with an amendment thereto.

Which amendment was rejected.

Mr. Harrison moved to amend the resolution by striking out the words "members of the General Assembly."

Which amendment was rejected.

On motion—

The resolution was read the third time—And

Resolved. That the same pass.

Ordered. That Mr. Shotts inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Thornton their assistant clerk.

Mr. President—

The House of Representatives have refused to concur in the resolution this day adopted by the Senate, directing the Secretary of state to furnish the public printer with certified copies of the several acts of the present General Assembly, immediately after they are approved.

The Senate now resolved themselves into a committee of the whole, on the bill authorising the qualified voters of the different counties at their next August election, to vote for or against a convention for a revision of the Constitution of this state, Mr. Daniel in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate without amendment.

On motion,

Ordered. That the bill be engrossed for a third reading this afternoon.

The Senate now resolved themselves into a committee of the whole, on the bill to regulate the payment and postage of letters addressed to the Secretary of state, Mr. Daniel in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with an amendment.

Which was adopted.

On motion by Mr. Harrison—

The bill was amended by adding the following proviso, viz:

Provided. That the clerks of the Circuit courts shall not be subject to the provisions of this act.

On motion—

Ordered. That the bill lie on the table.

On motion—

ORDERED, That the Senate adjourn until this afternoon 2 o'clock.

Friday Afternoon. Dec. 28th. 1821.

The Senate assembled pursuant to adjournment.

On motion—

The Senate now proceeded to consider the bill to regulate the postage and payment of letters addressed to the Secretary of state—And

On motion by Mr. Baird—

The bill was amended by striking it out from its enacting clause, and inserting a substitute therefor.

On motion by Mr. Baird—

Ordered. That the bill as amended be engrossed and read a third time on this day.

The bill was read a third time now—And

Resolved, That the same pass.

Ordered, That the bill be entitled an act to regulate the payment and postage of letters addressed to the Secretary of state.

The joint resolution from the House of Representatives, recommending a day of fasting and prayer, was read the third time —And

Resolved, That the same pass.

Ordered, That Mr. Baird inform the House of Representatives of the passage of the last mentioned bill and resolution, and request their concurrence in the said bill.

Mr. Graham now obtained leave to introduce a bill more fully defining the duties of the Secretary of state.

Which was read three several times by consent—And

Resolved, That the bill pass.

Ordered, That the bill be entitled an act more fully defining the duties of the Secretary of state, and that Mr. Graham inform the House of Representatives thereof, and request their concurrence therein.

Mr. Slaughter obtained leave to introduce a bill supplemental to an act entitled an act subjecting real and personal estate to execution, approved January 7th, 1818.

Which was twice read by consent—And

On motion—

Ordered. That the bill be engrossed for a third reading on to-morrow.

Mr. Laughlin from the committee to whom was referred the petition of Silas Roberts and others, praying that the road from Brookville to Indianapolis, might be changed &c. now reported that the committee are of opinion that the commissioners appointed to superintend and improve said road, have power to grant the prayer of the petitioners.

On motion—

The Senate concurred in the report.

On motion,

Ordered. That the Senate adjourn until to-morrow meeting nine o'clock.

SATURDAY MORNING, Dec. 29. 1821-9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Clark from the committee to whom was referred the report of the joint committee of both Houses of the General Assembly of the state of Ohio, on the communication of the Auditor of state, upon the subject of the proceedings of the Bank of the United States, in the United States' Circuit Court, now submitted a report on that subject.

Which was read and adopted.

Ordered. That Mr. Clark inform the House of Representatives in the report and resolutions.

Mr. Graham from the committee for enrolled bills, reported that they had compared and found truly enrolled the bills entitled as follows, viz :

An act requiring certain public officers to give further security, when the original shall remove, become insolvent or insufficient.

An act to dissolve the bans of matrimony between Liman Beeman and Sally Melott.

An act attaching part of Wabash county to Owen county and for other purposes.

An act providing for the collection of fines in certain cases.

An act repealing part of an act declaring certain streams navigable.

All which originated in the Senate.

Mr. Daniel obtained leave to introduce a joint resolution on the subject of three per cent. act.

Which was read three several times by consent--And *Resolved.* That the resolution pass.

On motion--

Ordered. That Mr. Daniel inform the House of Representatives thereof, and request their concurrence therein.

Mr. Graham obtained leave to introduce a bill to prevent passing counterfeit money and for other purposes.

Which was read the first and second times by consent.--And

On motion,

Ordered. That the bill be committed to a committee of the whole and made the order of the day for this day.

The engrossed bill authorising the qualified voters of the different counties at the next August election, to vote for or against a convention for the revision of the Constitution of this state.

Was read the third time--And

Resolved. That the bill pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bennett, Clark, Conner, Daniel, Gregory, Harrison, Laughlin and Sholts. 9.

And those in the negative were,

Messrs. Bartholomew, Blake, Cotton, Graham, Gray and Slaughter, 6.

Ordered, That the title thereof be an act authorising the qualified voters of the different counties to vote at their next August election, for or against a convention for the revision of the Constitution of this state; and that Mr. Daniel inform the House of Representatives thereof, and request their concurrence therein.

A message from the House of Representatives by Mr. Maxwell, a member.

Mr. President

The House of Representatives have passed an engrossed bill entitled "an act to amend the several acts now in force regulating elections," in which they request the concurrence of the Senate.

The bill was read the third time—And

On motion by Mr. Harrison—

Resolved, That the further consideration thereof be indefinitely postponed.

and the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Cotton, Blake, Harrison, Laughlin and Shotts, 8.

And in the negative were,

Messrs. Bartholomew, Bennett, Daniel, Clark, Graham, Gregory and Slaughter, 7.

On motion,

The bill supplemental to an act subjecting real and per-

sonal estate to execution, was recommitted to a committee of the whole, and made the order of the day for this day.

And the Senate according to order resolved themselves into a committee of the whole on the said bill, Mr. Shotts in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with an amendment.

Which amendment was concurred in.

Mr. Gregory moved to amend the bill by adding two sections as follows, viz:

Sec. That all personal property hereafter subject to execution, shall not be sold for less than one half the appraised value. *Provided* however, that any creditor may receive such property in payment of his, her or their debt, at the time such property shall be valued as is heretofore provided.

That when any creditor or creditors, he or they shall sue out their execution by virtue of any judgment that has been obtained before any of the Circuit Courts in the state or justices' courts, and the same be levied on any goods or chattels, such goods and chattels shall be valued by three disinterested house holders, and if such goods and chattels when offered for sale by any sheriff, coroner or constable, will not sell for one half of its approved value, the officer shall on the defendant giving bond with approved security, be entitled to six months additional stay of execution, and on the second issue of execution when made and levied on such goods and chattels, the said goods and chattels shall be sold for what they will fetch. This act to take effect from and after its passage.

Which amendment was rejected.

The yeas and nays being demanded;—

Those who voted in the affirmative were,
Messrs. Baird, Bennett, Clark, Gregory and Shoits, 5.

And those who voted in the negative were,
Messrs. Blake, Bartholomew, Conner, Cotton, Daniel,
Graham, Gray, Harrison, Laughlin and Slaughter, 10.

On motion and by consent—
The bill was read the third time as amended—And

Resolved, That the bill pass.

Ordered, That the title thereof, be an act supplemental to
an act entitled "an act subjecting real and personal estate
to execution," and that Mr. Graham inform the House of
Representatives thereof, and request their concurrence
herein.

A message from the House of Representatives, by Mr.
Thornston, assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed
bill entitled An act relative to costs and fee bills in this
state.—Also,

They have adopted a joint resolution respecting the three
per cent. act, both of which originated in the Senate with-
out amendment.

They have also passed engrossed bills entitled acts of the
following titles, viz :

An act authorising the issuing and reissuing of Treasu-
ry notes.

And an act repealing a joint resolution of the General
Assembly of the state of Indiana, approved January 22d,
1820, both of which originated in the House of Representa-
tives, and in which they ask the concurrence of the Senate.

The engrossed bill from the House of Representatives
entitled "an act authorising the issuing of Treasury notes,"
was read the first and second times by consent—And

Mr. Cotton moved to postpone the further consideration
of the bill indefinitely, which motion was rejected ;

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,
Messrs. Cotton, Daniel, Gray, Gregory, Harrison, Shoits
and Slaughter, 7.

And those in the negative were,
Messrs. Baird, Bennett, Bartholomew, Blake, Conner,
Clark, Graham and Laughlin 8.

On motion by Mr. Cotton—
The bill was amended in the 3d section by adding after
the word "state," the words "except Seminary funds."

On motion and by consent—
The bill was read the third time as amended—And
Resolved, That the same pass.

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,
Messrs. Baird, Bennett, Blake, Bartholomew, Clark,
Conner, Graham, Gray, and Laughlin, 9.

And those in the negative were,
Messrs. Cotton, Daniel, Harrison, Slaughter & Shoits, 5.

Ordered, That Mr. Wick inform the House of Represen-
tatives of the passage of the bill and request their concu-
rence in the amendment.

The engrossed bill from the House of Representatives en-

filed an act repealing a joint resolution of the General Assembly of the state of Indiana, approved January 22d, 1820.

Was read the third time.

On motion—

The same was amended by striking out the "15th day of January," and inserting the "1st day of February."

On motion and by consent—

The bill was read a second and third time—And

Resolved, That the bill pass.

Ordered, That Mr. Graham inform the House of Representatives thereof, and request their concurrence in the said amendments.

On motion,

The bill authorising commissioners to examine the falls of White river, was taken up and ordered to be referred to a committee of the whole on this day.—And

The Senate according to order resolved themselves into a committee of the whole, on the said bill, Mr. Baird in the chair, and after some time spent therein, the committee rose, and the bill was reported to the Senate with an amendment, by striking it out from its enacting clause.

On motion—

Resolved, That the further consideration thereof, be postponed until the first Monday in December next.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk,

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act authorising the writ of quo warranto against the Bank of Vincennes, the state Bank of Indiana, &c. for other purposes, which originated in the House of Representatives, and in which they request the concurrence of the Senate.

They have also adopted the report and resolution, on the subject of the proceedings of the U. States Circuit Court against the officers of state, of the state of Ohio, without amendment; and they concur in the amendment made by the Senate to the engrossed bill entitled an act repealing a joint resolution of the General Assembly, approved January 22d, 1820.

motion no

The engrossed bill from the House of Representatives entitled an act authorising the writ of quo warranto, was read the first time—And

Mr. Harrison moved to postpone the further consideration of the bill indefinitely.

Which motion was negatived.

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,
Messrs. Conner, Daniel, Gray, and Harrison, 4.

And in the negative were,

Messrs. Baird, Bennet, Blake, Bartholomew, Clark, Graham, Gregory, Laughlin, Shotts and Slough, 11.

On motion,

And two thirds of the Senate concurring, the bill was read the second and third times now.—And

Resolved, That the bill pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bennet, Blake, Bartholomew, Clark, Graham, Gregory, Laughlin, Shotts, and Slough, 11.

and in the negative were,

Messrs. Conner, Daniel, Gray, and Harrison, &c.

Ordered, That Mr. Clark inform the House of Representatives thereof.

On motion,

Ordered, That the Senate adjourn until this afternoon 2 o'clock.

SATURDAY AFTERNOON, Dec. 29th 1821,—2 o'clock.

The Senate assembled pursuant to adjournment.

The Senate now resolved themselves into a committee of the whole, on the bill to prevent passing counterfeit money, and for other purposes. Mr. Harrison in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate with several amendments thereto. Which amendments were concurred in.

On motion—

The bill was ordered to be engrossed for a third reading to-day, and the bill having been engrossed was read a third time—and,

Resolved, That the same pass.

Ordered, That the title thereof be “an act to prevent passing counterfeit money, and for other purposes.” and that Mr. Graham inform the House of the passage of the bill and request their concurrence therein.

The Senate now resolved themselves into a committee of the whole on the bill relative to the office of Adjutant General. Mr. Gray in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with an amendment by striking it out from the enacting clause.—and,

On motion—

Ordered, That the further consideration thereof be postponed until the first Monday in December next.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act amendatory to an act entitled an act authorising the granting of letters testamentary and letters of administration for the settlement of intestate estates, and for other purposes, with an amendment, in which they ask the concurrence of the Senate.

The Senate proceeded to consider the amendments to the said bill, which was by adding a 3d, 4th, 5th, 6th and 7th section to the same, and the amendment was amended by striking out the 6th section and the proviso at the end of the section.

The residue of the amendments were concurred in.

Ordered, That Mr. Graham inform the House of Representatives thereof and request their concurrence to the amendments to the amendments.

Mr. Blake, from the committee for enrolled bills, reported that they had compared and found truly enrolled the following bills entitled acts, viz :

An act for the formation of a new county out of the counties of Delaware and Wabash.

An act to amend the several acts for opening and repairing public roads and highways.

An act providing for the election of president and trustee^s for the Monroe County Library.

An act for the formation of Henry county out of the county of Delaware.

An act for the relief of Robert Gray and Reuben H. Murray.

An act attaching part of Switzerland county to the county of Ripley.

An act attaching part of Posey county to the county of Gibson.

An act for the formation of a new county out of Owen and Vigo counties, and north of Owen.

An act for the formation of a new county west of Franklin and Fayette—And,

An act authorising John M'Donald and William M'Cartney to erect mills upon Fall Creek, at the falls thereof.

A message from the House of Representatives, by Mr. Lane, a member, announcing that the Speaker of the House of Representatives had signed the last mentioned bills, reported truly enrolled by Mr. Blake, together with the following bills entitled acts, and requesting the signature of the president thereto, viz :

An act requiring certain public officers to give further security when the original shall remove, become insolvent or inefficient.

An act to dissolve the bonds of matrimony between Lyman Beaman and Sally Melotchen.

An act providing for the collection of fines in certain cases.

An act repealing part of an act declaring certain stream navigable—and,

An act attaching part of Wabash county to Owen county, and for other purposes.

The President having signed the said bills, they were severally handed to the committee for enrolled bills, to be presented to his Excellency the Governor for his approval and signature.

On motion—

Ordered, That the Senate adjourn until this evening at 6 o'clock.

SATURDAY Evening, Dec. 29, 1821—6 o'clock.

The Senate assembled pursuant to adjournment.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "an act amending and confirming an act entitled an act regulating the fees of the officers and persons therein named, approved January 21, 1818—also an engrossed bill entitled "an act to provide for judicial circuits, and fixing the time of holding courts," both of which originated in the House of Representatives; they have passed an engrossed bill entitled "an act providing for the location of the seat of justice of Union county," which originated in the Senate, with sundry amendments, in which several bills and amendments they ask the concurrence of the Senate. They concur in the amendments to the amendment made by the House of Representatives to the bill from the Senate entitled "an act amendatory to an act authorising the granting of letters testamentary and letters of administration for the settlement of intestate estates, and for other purposes."

The Senate concurred in the amendments made by the House of Representatives to the engrossed bill from the

Senate entitled "an act providing for the location of the seat of justice of Union county."

Ordered, That Mr. Conner inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled "an act to provide for judicial circuits and fixing the time of holding courts," was read the first and second time by consent—And,

On motion—

Ordered, That the bill be committed to a committee of the whole, and made the order of this evening; and the Senate according to order resolved themselves into a committee of the whole on the said bill; Mr. Conner in the chair, and after some time spent therein, the committee rose and the bill was reported to the senate with the several amendments thereto which amendments were concurred in.

On motion by Mr. Graham—

The bill was amended by striking out the 5th section and inserting a substitute in lieu thereof.

The engrossed bill from the House of Representatives, entitled "an act amending and confirming an act entitled an act regulating the fees of the officers and persons therein named, approved Jan. 22, 1818," was read the first and second times by consent—and,

On motion,

Ordered, That the bill be committed to a committee of the whole, and made the order of the day for Monday next.

On motion—

Ordered, That the Senate adjourn until Monday morning next, 9 o'clock.

MONDAY MORNING, Dec. 31, 1821.

The Senate assembled pursuant to adjournment.

Mr. Cotton obtained leave to introduce a bill supplemental to "an act authorising the issuing the writ of quo. warranto against the Bank of Vincennes, the State Bank of Indiana," which was read three several times by consent—And,

Resolved, That the bill pass.

Ordered, That the title thereof be "an act supplemental to an act entitled an act authorising the writ of quo. warranto against the Bank of Vincennes, the State Bank of Indiana," and that Mr. Cotton inform the House of Representatives thereof, and request their concurrence therein.

The Senate now resolved themselves into a committee of the whole on the engrossed bill from the House of Representatives entitled an act amending and confirming an act entitled an act regulating the fees of the officers and persons therein named, approved Jan. 22, 1818," Mr. Gregory in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with several amendments thereto; which amendments were by striking the bill out from the 1st section and inserting a second section, and which amendments were concurred in.

On motion,

The amendments were engrossed, and the bill was read a third time as amended—And,

Resolved, That the same pass.

Ordered, That Mr. Wick inform the House of Representatives of the passage of the bill, and request their concurrence in the amendments.

A message from the House of Representatives, by Mr. Murphy, a member.

Mr. President—

The House of Representatives have passed an engrossed bill which originated in the Senate, entitled "an act establishing the office of attorney general and providing for the appointment of such officers," without amendment.

On motion,

The Senate again resolved themselves into a committee of the whole on the engrossed bill from the House of Representatives entitled "an act to provide for judicial circuits, and fixing the time of holding courts." Mr. Conner in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with sundry amendments thereto.—And,

Leave was granted to sit again.

Mr. Blake, from the committee of enrolled bills, reported that they had compared and found truly enrolled the following bills entitled acts, viz:

An act for the formation of a new county out of the county of Delaware.

An act for the formation of Decatur county north of Jennings county.

An act for the formation of Shelby county north of Bartholomew county.

An act for the relief of William H. Ewing.

An act providing for additional trustees of the state seminary, and for other purposes.

An act to authorize the issuing of a writ of quo warranto against the Bank of Vincennes, the State Bank of Indiana, and for other purposes.

An act repealing a joint resolution of the General Assembly of the state of Indiana, approved January 2d, 1820.

An act legalizing the election of trustees for the county library of Sullivan county, and for other purposes.

An act authorising the issuing of treasury notes.—And,

An act relative to costs and fee bills in this state.

Mr. Graham, from the same committee, reported the bill entitled "an act authorising the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent fund for opening said roads," truly enrolled—and a joint resolution providing for printing and distributing the militia law—a joint resolution of the General Assembly, recommending a day of fasting and prayer—a joint resolution respecting the three per cent act.

A message from the House of Representatives, by Mr. Lane, a member, announcing that the speaker had signed the said acts, and a joint resolution, and requesting the signature of the president thereto.

The president having signed the same, they were severally handed to the committee of enrolled bills, to be presented to the Governor to be approved and signed.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives concur in the amendments made by the Senate to the engrossed bill entitled "an act authorising the issuing and reissuing of treasury notes," which originated in the House of Representatives. They have also passed an engrossed bill entitled "an act amend-

story to the several acts now in force regulating the assessment and collection of revenue," which originated in the House of Representatives in which they ask the concurrence of the Senate. They have also passed an engrossed bill entitled "an act to prevent passing counterfeit money, and for other purposes," which originated in the Senate, without amendment.

The engrossed bill from the House of Representatives entitled "an act amendatory to the several acts now in force regulating the assessment and collection of revenue," was read the first and second times by consent—And,

On motion—

Ordered, That the bill be committed to a committee of the whole and made the order of this day.

The Senate, according to order, resolved themselves into a committee of the whole on the said bill, Mr. Slaughter in the chair, and after some time spent therein the committee rose, and the bill was reported to the Senate with an amendment thereto; which amendment was concurred in.

Mr. Cotton moved to amend the bill, by striking out all that part imposing a poll tax for state purposes; which amendment was rejected.

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Cotton, Clark, Gray and Sholts—4.

And in the negative were,

Messrs. Baird, Bennett, Blake, Conner, Daniel, Gregory, Harrison, Laughlin and Slaughter—10.

Mr. Daniel moved to amend the 1st section, by assessing a tax of \$1 00 on first rate land; 75 cents on second rate, and 50 cents on third rate land; which amendments was rejected.

And the yeas and nays being demanded,

Those who voted in the affirmative were,

Messrs. Baird, Blake and Daniel—3.

And in the negative were,

Messrs. Bartholomew, Conner, Cotton, Clark, Gray, Graham, Gregory, Harrison, Laughlin, Slaughter and Sholts—12.

Mr. Bartholomew moved to amend the same section, by assessing a tax of \$1,62-1-2 cents on first rate land, \$1 25 on second rate.

And the yeas and nays being demanded by two members,

Mr. Bartholomew voted in the affirmative, the other Senators in the negative.

Mr. Harrison moved to amend the bill by striking out the third section and inserting the following as a substitute, viz.

"That a tax on land for county purposes, not exceeding two thirds the amount of the state tax, shall be assessed throughout the state, except that part commonly called the New Purchase, within which the county commissioners may if they think proper, assess a poll tax of fifty cents for county purposes."

And the yeas and nays being demanded,

Those who voted in the affirmative were,

Messrs. Conner, Cotton, Clark, Daniel, Gray, Graham, Harrison and Mr. President—8.

And in the negative were,

Messrs. Baird, Bennett, Bartholomew, Gregory, Laughlin, Slaughter and Skolls.

On motion, and by consent, the bill as amended, was read the third time—And,

Resolved, That the same pass.

Ordered, That Mr. Conner inform the House of Representatives thereof and request their concurrence in the several amendments.

A message from the House of Representatives by Mr. Johnston of Knox, a member.

Mr. President,

The House of Representatives have passed the act relating to the navigation of the Wabash river, which originated in the Senate, with an amendment, to which the concurrence of the Senate is requested.

On motion,

The Senate concurred in the amendment.

Ordered, That Mr. Blake inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Milroy, a member.

Mr. President—

The House of Representatives have passed an engrossed

Bill entitled an act attaching part of Jackson county to the county of Lawrence, in which they ask the concurrence of the Senate.

The bill was read the first and second times by consent—And,

On motion—

Ordered, That the bill pass to a third reading on this day.

On motion—

Ordered, That the Senate adjourn until 2 o'clock this afternoon.

MONDAY AFTERNOON, Dec. 31st 1821, 2 o'clock.

The Senate assembled pursuant to adjournment.

The Senate resumed in committee of the whole, the further consideration of the engrossed bill from the House of Representatives entitled "an act to provide for judicial circuits, and fixing the time of holding courts." Mr. Conner in the chair, and after some time spent therein, the committee rose and the bill was reported to the Senate with sundry amendments thereto; which amendments were concurred in.

On motion and by consent, the bill was read the third time as amended—And,

Resolved, That the bill pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof and request their concurrence in the amendments.

A message from the House of Representatives by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives refuse to concur in the several amendments made by the Senate, to the engrossed bill entitled "An act amending and confirming the act regulating the fees of the officers and persons therein named, approved January 21st, 1812, which originated in the House of Representatives, except the amendment made by striking out the 7th section thereof.

On motion,

The Senate insisted upon their amendments to said bill.

Ordered, That Mr. Graham inform the House of Representatives thereof.

On motion—

The bill from the House of Representatives entitled "an act attaching part of the county of Jackson to the county of Lawrence, was taken up—And,

On motion by Mr. Graham—

Ordered, That the further consideration of the bill be indefinitely postponed.

On motion by Mr. Slaughter—

Ordered, That the committee on state roads be discharged from the further consideration of the engrossed bill from the House of Representatives, entitled "an act to continue in force, an act entitled 'an act supplemental to an act locating certain roads therein named and for other purposes, approved January 9th, 1811,' and the bill was read the third time now—And,

Resolved, That the bill pass as amended.

Ordered, That Mr. Slaughter inform the House of Representatives thereof and request their concurrence in the amendment.

Mr. Blake, from the committee for enrolled bills, reported, that they had compared and found truly enrolled, the following bills, viz:

"An act providing for the location of the seat of justice of Union county.

An act establishing the office of attorney general, and providing for the appointment of such officers—And,

An act to prevent passing counterfeit money and for other purposes."

A message from the House of Representatives, by Mr. Lane, a member, announcing that the speaker had signed the bills last reported by Mr. Blake, and requesting the signature of the president thereto.

The President having signed the said bills, they were severally handed to the committee for enrolled bills, to be presented to the Governor to approve and sign.

A message from the House of Representatives, by Mr. Prince, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "an act to provide for the sale of the seminary township in Gibson county, and for other purposes," in which they request the concurrence of the Senate.

The bill was read the first and second times by consent—And,

On motion—

Ordered. That the bill be committed to a committee of the whole and made the order of the day for this day—and the senate accordingly resolved themselves into a committee of the whole on the said bill. Mr. Bartholomew in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate without amendment.

Mr. Blake moved to postpone the further consideration of the bill indefinitely. Which motion was rejected.

On motion,

Ordered. That the bill pass to a third reading on to-morrow.

Mr. Blake from the committee for enrolled bills reported, that they did on this day present to the Governor for his approval and signature, the following enrolled bills, entitled acts, viz.

“An act providing for the location of the seat of justice of Union county.”

“An act establishing the office of attorney general and providing for the appointment of such officer—And,

An act to prevent passing counterfeit money, and for other purposes.

On motion by Mr. Harrison—

Resolved by the Senate, the House of Representatives concurring therein, that the Senate will meet the House of Representatives in the Representative chamber this evening at 6 o'clock, for the purpose of electing one presiding judge for the fifth judicial circuit; also one attorney general for the state of Indiana—and that the House of Representatives be informed thereof.

Ordered. That Mr. Harrison inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Thorne on, their assistant clerk.

Mr. President—

The House of Representatives concur in the amendment made by the Senate to the engrossed bill entitled “an act amendatory to the several acts now in force regulating the assessment and collection of revenue,” from the House of Representatives, with an amendment. They have also passed an engrossed bill entitled “an act to repeal the act adopting the Bank of Vincennes as the State Bank of Indiana,” which originated in the House of Representatives, in which bill and amendment they ask the concurrence of the Senate; and they concur in the amendment made by the Senate to the engrossed bill entitled “an act establishing judicial circuits and fixing the times of holding courts therein.

On motion,

The Senate concurred in the amendment made by the House of Representatives to the engrossed bill entitled “an act amendatory to the several acts now in force regulating the assessment and collection of revenue.

Ordered. That Mr. Wick inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled “an act to repeal an act adopting the Bank of Vincennes as the State Bank of Indiana, was read a 1st, 2d and 3d time, and rejected.

A message from the House of Representatives, by Mr. Murdock, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "an act regulating the petitions for divorces, and for other purposes, in which they ask the concurrence of the Senate.

The bill was read, and,

On motion by Mr. Daniel—

Ordered. That the further consideration of the bill be indefinitely postponed.

Mr. Graham, from the committee of enrolled bills, reported that the committee did on this day present to the Governor to approve and sign, enrolled bills and joint resolutions of the following titles, to wit:

An act to dissolve the bonds of matrimony between Lyman Beeman and Sally Melott.

An act authorising John M'Donald & William M'Cartney to erect mills on Fall Creek at the falls thereof.

An act providing for the collection of fines in certain cases.

An act for the formation of a new county out of the counties of Delaware and Wabash.

An act repealing part of an act declaring certain streams navigable,

An act attaching part of Wabash county to Owen county.

An act for the formation of a new county out of Owen and Vigo counties, and north of Owen.

An act requiring certain public officers to give further sp-

curity when the original shall remove, become insolvent or insufficient.

An act relative to costs and fees bills in this state.

An act authorising the laying off certain state roads in this state and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, to the opening of the said roads.

An act legalizing the election of trustees for the county library of Sullivan county, and for other purposes—And,

A joint resolution respecting the three per cent. act.

All of which originated in the Senate.

A message from the Governor, by Mr. Moser, his private secretary, announcing that his Excellency did on this day approve and sign the above acts and joint resolution, reported by Mr. Graham.

On motion—

Ordered. That the Senate adjourn until this evening six o'clock.

MONDAY EVENING, Dec. 31st, 1821—6 o'clock.

The Senate assembled pursuant to adjournment.

A message from the House of Representatives by Mr. Thornton their assistant clerk.

Mr. President,

The House of Representatives insist on their disagreement to the amendments made by the Senate to the engrossed bill amending and confirming an act entitled An act regulating the fees of the several officers and persons therein named, approved January 21st, 1818; which originated in the House of Representatives.

They have also passed engrossed bills of the following titles, to wit:

An act for the relief of Ann Ludlow.

An act to amend an act regulating divorces, approved January 26th, 1818.—And

An act supplemental to an act providing for the incorporation of towns, approved January 1st, 1817; all of which originated in the House of Representatives, in which they ask the concurrence of the Senate.

And they have passed an engrossed bill entitled An act for the relief of the agent of Pike county, which originated in the Senate, without amendment.

On motion by Mr. Harrison—

Resolved, That the Senate insist upon their amendments to the engrossed bill amending and confirming an act entitled An act regulating the fees of the several officers and persons therein named, approved January 21st, 1818; and that a committee of free conference be appointed on the subject matter of difference between the two Houses on said bill, and a similar committee be requested on the part of the House of Representatives:

Whereupon,

Messrs. Harrison, Clark, and Laughlin, were appointed that committee.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled an act for the relief of Ann Ludlow, was read three several times by consent.—And

Resolved, That the bill pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Blake, Conner, Cotton, Gray, Gregory, Graham, Harrison, and Slaughter, 9.

And those in the negative were,

Messrs. Baird, Bennett, Clark, Daniel, Laughlin, and Sholis, 6.

Mr. Blake from the committee for enrolled bills, reported that he had compared and found truly enrolled an act establishing judicial circuits and fixing the times of holding courts therein.

A message from the House of Representatives by Mr. Lane, a member, announcing that the Speaker had signed the said bills, and requesting the signature of the President thereto.

The President having signed the said bill, it was handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

A message from the Governor by Mr. Moore, his private secretary, announcing that the Governor had approved and signed the following bills on this day, viz:

An act establishing the office of Attorney General and providing for the appointment of such officer.

An act providing for the seat of justice of Union county. And—

An act to prevent passing counterfeit money, and for other purposes.

The engrossed bill from the House of Representatives en-

entitled an act supplemental to the act providing for the incorporation of towns, approved January 1st, 1817; was read three several times by consent—And

Resolved. That the bill pass.

Ordered. That Mr. Slaughter inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President,

The House of Representatives have passed engrossed bills of the following titles, to wit :

An act relative to the state prison at Jeffersonville.—And
An act authorising called sessions of the circuit courts, for the purposes therein mentioned ; both of which originated in the the H. of Representatives, and in which they ask the concurrence of the Senate ; and they concur in the amendments made by the Senate to the engrossed bill entitled an act to continue in force an act supplemental to an act entitled an act locating certain roads therein named and for other purposes, approved January 9th, 1821.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives concur in the resolution and request of the Senate respecting the election of an Attorney General and a presiding judge for the fifth judicial circuit—and I am instructed to inform the Senate that the House of Representatives are now ready to receive them in the Representative chamber for that purpose ; and that Mr. Johnston of Knox is appointed teller on the part of the House of Representatives.

Ordered. That Mr. Harrison be teller on the part of the Senate, and that the House of Representatives be informed thereof.

The Senate then repaired to the Representative chamber for the purpose of electing the said officers, and after having performed that duty, retired to their chamber.

A message from the House of Representatives by Mr. Dwyer, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act supplemental to an act to prevent waste on lands reserved for the use of schools and salt springs, in which they request the concurrence of the Senate.

The bill was read a first and second times by consent.—And

On motion—

The bill was committed this evening to a committee of the whole, Mr. Bartholomew in the chair, and after some time spent therein, the committee rose and the bill was reported with an amendment, which was concurred in.

On motion,

Ordered. That the bill pass to a third reading on to-morrow.

On motion,

Ordered. That the Senate adjourn until to-morrow morning 9 o'clock.

TUESDAY MORNING, Jan. 1st, 1822 9 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Blake from the committee for enrolled bills reported that they had compared and found truly enrolled a bill entitled an act relating to the navigation of the river Wabash.

A message from the House of Representatives by Mr. Merrill, a member.

Mr. President—

The House of Representatives have passed an engrossed bill from the Senate, entitled an act authorising John B. Schell, to keep a ferry below and adjoining the town of Jeffersonville, without amendment.

The engrossed bill from the House of Representatives entitled an act relative to the state prison at Jeffersonville, was read—And

On motion by Mr. Daniel—

Ordered, That the further consideration of the bill be postponed indefinitely.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Blake, Bennett, Daniel, Gray, Gregory, Graham, Laughlin, and Sholts, 9.

And those in the negative were,

Messrs. Bartholomew, Conner, Cotton, Clark, Harrison, and Slaughter, 6.

The engrossed bill from the House of Representatives en-

titled an act to provide for the sale of the Seminary township in Gibson county and for other purposes, was read the third time—And

Resolved, That the bill pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Baird, Bennett, Conner, Daniel, Gray, Gregory, Harrison, Laughlin, Sholts, and Slaughter, 10.

And in the negative were,

Messrs. Bartholomew, Blake, Cotton, Clark, and Graham, 5.

Ordered, That Mr. Daniel inform the House of Representatives of the passage of the bill.

A message from the House of Representatives by Mr. Lane, a member, announcing that the Speaker had signed an enrolled bill entitled an act relating to the navigation of the river Wabash, and requesting the signature of the President thereto.

The President having signed the same, it was handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

On motion by Mr. Laughlin—

The Senate reconsidered their vote on the postponement of the engrossed bill from the House of Representatives entitled an act attaching part of Dubois county to the county of Martin; and on the question being again put, the motion for postponement was decided in the negative—and the bill was read the third time, and rejected by yeas 7—noes 8.

Those who voted in the affirmative were,

Messrs. Blake, Bennett, Conner, Gray, Gregory, Harrison, and Sholts, 7.

And in the negative were,

Messrs. Baird, Bartholomew, Clark, Daniel, Graham, Slaughter, Laughlin, and Mr. President, 8.

Mr. Cotton obtained leave to introduce a bill to declare in force a law on the subject of fees, approved January 21st, 1818; was read twice, and Mr. Gray moved to amend the bill by adding a second section, which motion was adopted.

On motion—

Ordered, That the bill be engrossed for a third reading on this afternoon.

The engrossed bill from the House of Representatives entitled an act supplemental to an act to prevent waste on lands reserved for the use of schools and salt springs, was read the third time as amended—And

Resolved, That the bill pass.

Ordered, That Mr. Gregory inform the House of Representatives of the passage of the bill, and request their concurrence in the amendment.

On motion,

Ordered, That the Senate adjourn until this afternoon 2 o'clock.

TUESDAY Afternoon, Jan. 1st, 1822.—2 o'clock.

The Senate assembled pursuant to adjournment.

The engrossed bill to declare in force a law on the sub-

ject of fees, approved January 21st, 1818, was read the third time—And

Resolved, That the same pass.

Ordered, That the title thereof be "an act to declare in force, a law on the subject of fees, approved January 21st, 1818, and for other purposes," and that Mr. Wick inform the House of Representatives of the passage of the bill, and request their concurrence therein.

A message from the House of Representatives, by Mr. Dewey, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "an act to establish a permanent road from Leavenworth to Terre Haute; which was read a first, second and third time and rejected.

And the yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Cotton, Daniel, Graham, Gray, Harrison and Laughlin—6.

And in the negative were,

Messrs. Baird, Bartholomew, Bennett, Conner, Clark, Gregory and Sholts—7.

The engrossed bill from the House of Representatives, entitled "an act authorising called sessions of the circuit courts within this state, for the purposes therein named," was read three several times by consent—And,

Resolved, That the bill pass.

Ordered, That Mr. Wick inform the House of Representatives thereof.

Mr. Gregory asked leave to introduce a bill attaching three miles of the west of Jackson county to the county of Lawrence, and leave was refused, it being considered unparliamentary, as a bill on the same subject had been previously acted on at the present session.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "an act for the retrenchment of county expenditures, and for other purposes," which originated in the Senate, with amendments. They have also passed engrossed bills, entitled acts, of the following titles, viz.

"An act attaching the county of Wabash to the counties of Parke and Putnam; and for other purposes—And,

An act to amend the act for carrying the laws into effect in new counties," both of which originated in the House of Representatives, and in which bills and amendments they ask the concurrence of the Senate.

The Senate now considered the amendments made by the House of Representatives to the engrossed bill from the Senate, entitled An act for the retrenchment of county expenditures, and for other purposes, and concurred in the 4th amendment, and refused to concur in the other amendments.

Ordered, That Mr. Wick inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk:

Mr. President—

The House of Representatives recede from the 2d amendment made by them to the engrossed bill from the Senate, entitled "an act for the retrenchment of county expenditures and for other purposes," and they insist on their first and third amendments to said bill.

On motion by Mr. Harrison—

Resolved, That the Senate insist upon their disagreement to the amendments to said bill.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lane, a member.

Mr. President—

The House of Representatives have appointed Messrs. Lane, Johnston of Knox, and Tipton, a committee of free conference on the disagreement between the two Houses on the bill amending and confirming an act regulating the fees of certain officers and persons therein named, approved January 21st, 1818," and invite the Senate to appoint a similar committee on their part.

A message from the House of Representatives by Mr. Merrill, a member.

Mr. President,

I am instructed to announce to the Senate that the speaker of the House of Representatives has appointed Messrs. Merrill and Powell a committee of free conference on the disagreement between the two Houses, on the bill for the general retrenchment of county expenditures, and a similar committee is requested on the part of the Senate.

On motion—

Resolved, That a committee be appointed on the part of the Senate.

Messrs. Gregory and Cotton were appointed accordingly.

Mr. Blake, from the committee on state roads, reported that they have had various meetings and consultations on the petitions and other references given them in charge, and would at an early period have reported in detail, but the expediency of doing so was precluded by the report of the committee on the subject of the three per cent fund, which report was very earnestly and successfully sustained in the Senate. Your committee are satisfied that the objects which originally came within the sphere of their duty have been generally effected by the adoption of the measure to which they allude, and that there is little room for regret, when viewing the interests of the state at large, that your committee have been anticipated.

All the papers which were referred to your committee are therefore respectfully returned to the Senate, to be preserved or otherwise disposed of according to their discretion.

On motion—

Ordered, That the report be concurred in.

A message from the House of Representatives, by Mr. Murdock, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "an act authorizing county commissioners to appoint their own clerks," which originated in the House of Representatives, and request the concurrence of the Senate therein.

The bill was read, and,

Resolved, That the further consideration of the bill be postponed indefinitely.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed engrossed bills of the following titles, viz :

An act to amend the act defining the duties of constables — and,

An act to amend the act respecting public seminaries and for other purposes, approved January 26th, 1818," both of which originated in the House of Representatives, and in which they ask the concurrence of the Senate.

The engrossed bill from the House of Representatives, entitled "an act to amend the act for carrying the laws into effect in new counties, was read ; and,

On motion,

Ordered, That the further consideration of the bill be postponed indefinitely.

The engrossed bill from the House of Representatives, entitled "an act to amend the act respecting public seminaries, approved Jan. 26, 1818," was read three several times by consent ; and,

Resolved, That the bill pass.

Ordered, That Mr. Laughlin inform the House of Representatives thereof.

Mr. Slaughter obtained leave to introduce a joint resolution for the relief of Benja. Adams, which was read three times ; and,

Resolved, That the resolution pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof and request their concurrence therein.

The engrossed bill from the House of Representatives, entitled "an act to amend the act defining the duties of constables," was read twice by consent; and,

On motion,

Ordered, That the bill pass to a third reading on to-morrow.

The engrossed bill from the House of Representatives entitled An act attaching Wabash county to the counties of Parke and Putnam, was read three several times by consent; and,

Resolved, That the bill pass.

Ordered, That Mr. Blake inform the House of Representatives thereof.

Mr. Harrison, from the joint committee of free conference on that subject, now submitted the following report:

"The joint committee of free conference on the difference between the two houses to the amendments made by the Senate to the engrossed bill from the House of Representatives entitled An act amending and confirming an act entitled an act regulating the fees of the officers and persons therein named, approved Jan. 21st, 1818, have agreed that the Senate shall recede from the first, second and third amendments, which were by striking out the 2d, 3d and 4th sections, and that the House of Representatives shall concur in the 4th and 5th amendments thereto, which were by striking out the 5th and 6th sections.

On motion,

Ordered, That the Senate concur in the report.

Ordered, That Mr. Harrison inform the House of Representatives thereof.

On motion—

Ordered, That the Senate adjourn until this evening at 6 o'clock.

TUESDAY Evening, Jan. 1, 1822—6 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Graham now presented the petition of sundry inhabitants of Scott county, praying the relocation of the seat of justice of said county, which was read; and,

On motion—

Ordered, That the further consideration of the petition be postponed until the first Monday of December next.

Mr. Clark presented the petition of the county commissioners of Washington county, praying that boards of county commissioners may be authorised to appoint their own clerk, which having been read,

On motion—

Resolved, That the further consideration thereof be postponed until the first Monday in September next.

On motion by Mr. Gregory—

The Senate reconsidered their vote on the passage of the bill to establish a road from Leavenworth to Terre Haute; and the same was,

On motion—

Ordered, To be referred to a committee of the whole and made the order for this evening.

Whereupon,

The Senate resolved itself into a committee of the whole to consider said bill, Mr. Baird in the chair, and after some time spent therein, the President resumed the chair, and Mr. Baird reported the bill with sundry amendments, which amendments were concurred in.

On motion,

Ordered, That the bill be read a third time now, and the bill was accordingly read the third time—And

Resolved, That the bill pass.

Ordered, That Mr. Slaughter inform the House of Representatives thereof, and request their concurrence in the several amendments.

A message from the House of Representatives by Mr. Thorburn their assistant clerk.

Mr. President,

The House of Representatives have passed an engrossed bill entitled An act for dividing the state into Congressional districts, for the election of members to the Congress of the United States, which originated in the Senate with amendments—in which they request the concurrence of the Senate; also, a joint resolution for the relief of Benjamin Adams, which originated in the Senate.

On motion—

The Senate concurred in the amendments made by the H. of Representatives to the engrossed bill entitled An act for dividing the state into Congressional districts for the election of members to the Congress of the United States.

Ordered. That Mr. Graham inform the House of Representatives thereof.

Mr. Harrison obtained leave to introduce a bill supplemental to An act entitled an act for dividing the state into Congressional districts for the election of members to the Congress of the United States, which was read the first and second times—and,

Mr. Conner moved to postpone the further consideration of the bill indefinitely—which motion was negatived.

And the yeas and nays being demanded,

Those who voted in the affirmative were,

Messrs. Bennett, Conner, Cotton, Gregory, Laughling, and Slaughter, 6.

And in the negative were,

Messrs. Baird, Bartholomew, Clark, Daniel, Gray, Graham, and Harrison, 7.

A message from the House of Representatives, by Mr. Thorburn, their assistant clerk.

Mr. President—

The House of Representatives have passed engrossed bills of the following titles to wit:

“An act supplemental to an act entitled an act, establishing certain roads, and appropriating \$100,000 of the fund commonly called the three per cent. fund for opening the same.” passed at the present session—And

“An act authorising the agent of Indianapolis to lease a ferry and for other purposes.”

And they concur in the amendments made by the Senate to the engrossed bill entitled “an act supplemental to an act to prevent waste on lands reserved for the use of schools & salt springs,” which originated in the House of Representatives with an amendment, in which they ask the concurrence of the Senate.

The Senate refused to concur in the amendment to the amendments made by the House of Representatives to said last mentioned bill.

Ordered. That Mr. Wick inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled "an act authorizing the agent of Indianapolis, to lease a ferry and for other purposes," was read a first and second time by consent.—And

On motion,

Ordered, That the bill be committed to a committee of the whole on this evening; and the Senate according to order resolved themselves into a committee of the whole on the said bill, Mr. Daniel in the chair, and after some time spent therein, the committee rose and the bill was reported with sundry amendments thereto, which amendments were considered separately and concurred in.

On motion by Mr. Gregory—

A second section was substituted in lieu of the one stricken out in committee of the whole.

The bill was read the third time.—And

Resolved, That the same pass.

Ordered, that Mr. Gregory inform the House of Representatives of the passage of the bill, and request their concurrence in the said amendments.

A message from the House of Representatives, by Mr. Merrill a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled "An act providing for the distribution of the Laws and Journals, to which they ask the concurrence of the Senate.

The said bill was read three several times by consent, and amended in one particular.

Resolved, That the bill pass.

Ordered, That Mr. ——— inform the House of Rep-

representatives thereof and request their concurrence in the amendment.

The engrossed bill from the House of Representatives entitled "An act supplemental to an act entitled an act establishing certain roads, and appropriating \$100,000 of the fund commonly called the three per cent. fund for opening the same—passed at the present session, was read a first and second times by consent.—And

Mr. Sholts moved to postpone the further consideration of the bill indefinitely—which was rejected.

A message from the House of Representatives, by Mr. Lewey, a member.

Mr. President—

The House of Representatives have concurred in the several amendments made by the Senate, to an engrossed bill from the House of Representatives, entitled "an act to establish a permanent road from Levenworth to Ferre Haute."

On motion—

Ordered, That the Senate adjourn until 9 o'clock to-morrow morning.

WEDNESDAY MORNING, Jan. 2d, 1842, 9 o'clock

The Senate assembled pursuant to adjournment.

The following report from the treasurer of state was laid before the Senate by the president:

TREASURY DEPARTMENT.

Corydon. January 2d. 1822.

The treasurer of state, in obedience to a joint resolution of both houses of the General Assembly, approved the day of Dec. 1821, submits the following report :

That he did on the 20th day of Dec. 1821, demand of the agent authorised to manage the concerns of the branch bank located at Vevay, payment of the notes on said bank amounting to the sum of \$7081 00. That he did in like manner, on the 22d day of said month, demand of like agent authorised to manage the concerns of the Brookville Branch Bank, payment of the notes on said Bank amounting to the sum of \$12,216 00. That on the 27th day of said month he did demand of the Cashier of the Corydon Branch Bank, payment for the notes on said Bank amounting to the sum of \$148. And that he did upon the 29th of said month tender to the Cashier of the Bank of Vincennes, adopted as the state Bank of Indiana, the above recited sums, together with the sum of \$1455 00 being notes on the said Bank, amounting in all to the sum of \$21,200— which the said Cashier refused to receive, alleging that the state of Indiana was not indebted to that Banking Institution. All which, by a reference to the copies of the certificates marked from letter A to D, will more fully appear.

Respectfully submitted,

D. C. LANE, Treasurer.

On motion by Mr. Daniel—

Resolved, by the Senate, the House of Representatives concurring therein, that the General Assembly will adjourn on to-morrow morning, sine die.

Ordered, That Mr. Daniel inform the House of Representatives thereof.

Mr. Gregory, from the committee of free conference

that subject, now submitted the following report :

The joint committee of free conference appointed on the disagreement of the two houses on the bill for the general retrenchment of county expenditures, have agreed that the House of Representatives shall recede from the first amendment made by them to the said bill, and that the Senate shall recede from their objections to the third amendment made to said bill.

On motion,

Ordered, That the Senate concur in the report.

On motion—

Ordered. That the committee of the whole be discharged from the further consideration of the bill supplemental to an act for dividing the state into Congressional Districts, for the election of members to the Congress of the United States, and that the same be engrossed for a third reading on to-day.

The same was read a third time as engrossed—and,

Resolved, That the further consideration thereof be postponed indefinitely.

The engrossed bill from the House of Representatives, entitled "an act supplemental to an act entitled An act establishing certain roads and appropriating \$100,000 of the fund commonly called the three per cent. fund for opening the same." was taken up—and,

On motion by Mr. Cotton—

Resolved. That the further consideration of the bill be postponed indefinitely.

A message from the House of Representatives by Mr. Prince, a member.

The House of Representatives have passed A joint resolution respecting the revisor of the laws of this state, to which they ask the concurrence of the Senate.

The resolution was read three several times and amended by consent—and,

Resolved, That the same pass.

Ordered, That Mr. Wick inform the House of Representatives thereof, and request their concurrence in the amendment.

A message from the House of Representatives, by Mr. Dewey, a member.

Mr. President—

The House of Representatives have receded from their amendment to the amendment made by the Senate to an engrossed bill supplemental to "an act to prevent waste on lands reserved for the use of schools and salt springs," which originated in the House of Representatives.

A message from the House of Representatives, by Mr. Battell, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled An act in amendment of an act to reduce into one all the acts and parts of acts relative to crimes and punishments, approved January 29th, 1818.

The bill was read the first and second times by consent, and ordered to be committed to a committee of the whole on to day—And,

The Senate accordingly resolved themselves into a committee of the whole on said bill, Mr. Slaughter in the chair.

and after some time spent therein, the committee rose and the bill was reported with several amendments thereto, which amendments were all concurred in but the striking out of the 6th section, and the yeas and nays were demanded on concurrence in that amendment, the substance of which was to make the crimes of adultery and fornication punishable by fine and imprisonment—those who voted in the affirmative were Messrs. Baird, Bennett, Clark, Daniel, Gray, Gregory, and Slaughter 7—and in the negative were Messrs. Bartholomew, Cotton, Harrison, Laughlin and Shotts, 5—and so the amendment was concurred in.

Mr. Gregory moved to strike out the 5th section, which motion was rejected.

Mr. Daniel moved to amend the 5th section, by adding the following, "and that in all cases where the question shall be, whether a note be forged or counterfeit or not, any persons acquainted with the general face of notes, shall be competent witnesses; but three or more witnesses shall be required to the establishment of the fact," which amendment was adopted.

The bill was read a third time as amended—And,

Resolved, That the bill pass.

Ordered, That Mr. Harrison inform the House of Representatives thereof and request their concurrence in the amendments.

Mr. Graham obtained leave to introduce a joint resolution of the General Assembly of the state of Indiana; which was read three several times by consent—And,

Resolved, That the resolution pass.

Ordered, That Mr. Bartholomew inform the House of Representatives thereof and request their concurrence therein.

A message from the House of Representatives by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have concurred in the report of the committee of free conference, on the subject of the disagreement of the two Houses on the amendments made by the Senate to the engrossed bill from the House of Representatives entitled An act regulating the fees of the several officers and persons therein named, approved Jan'y 21st, 1818.—And

They have passed an engrossed bill from the Senate, entitled An act authorising the guardians of the infant heirs of Henry Hickey deceased, to lay out certain monies.

A message from the House of Representatives by Mr. Christer, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled An act for the relief of the sheriff of Fayette county, which was read three several times by consent. And—

Resolved, That the bill pass.

Ordered, That Mr. Wick inform the House of Representatives thereof.

The following communication from the treasurer of state, was laid before the Senate by the President :

TREASURY DEPARTMENT.

Corydon, Jan'y 20, 1822.

The Treasurer of state, in obedience to an act of the General Assembly of the State of Indiana, approved Jan'y

ary 9th, 1821, authorising the issuing of Treasury notes; submits the following report :

That the treasury notes authorised by the above recited act, the sum of \$9,910 have been issued at the treasury in discharge of claims due individuals on this department, leaving \$90 unissued. That out of the sum of \$9,910 at one time in circulation, the sum of \$6,445 has been returned to the treasury, leaving yet in circulation on this day the sum of \$3,465 00.

Respectfully submitted,

D. C. LANE, *Treasurer*.

Mr. Blake from the committee for enrolled bills reported that they had compared and found truly enrolled bills and joint resolutions of the following titles, to wit :

An act to continue in force an act entitled an act supplemental to an act locating certain roads therein named, and for other purposes, approved Jan. 9th, 1821.

An act authorising called sessions of the circuit courts within this state, for the purposes therein mentioned.

An act for the relief of the county Agent of Pike county.

An act amendatory to an act entitled an act authorising the granting of letters testamentary, and letters of administration for the settlement of intestate estates, and for other purposes.

An act for the relief of Ann Ludlow.

A joint resolution for the relief of Benjamin Adams.

An act supplemental to an act providing for the incorporation of towns in the state of Indiana, approved Jan. 1st, 1817.

An act to amend an act regulating divorces, approved Jan. 28th, 1818.

An act amendatory to the several acts now in force regulating the assessment and collection of the revenue.

An act to provide for the sale of the seminary township in Gibson county and for other purposes.

An act authorising John Fischli, to keep a ferry below and adjoining the town of Jeffersonville,

And act to establish a permanent road from Levenworth or Fredonia to Terre Haute.

An act to amend the act respecting public seminaries and for other purposes, approved Jan. 26, 1818.

An act attaching the county of Wabash to the county of Putnam and for other purposes.

A message from the House of Representatives by Mr. Lane a member; announcing that the Speaker had signed the acts and joint resolutions last reported truly enrolled by Mr. Blake, and requesting the signature of the President thereto.

The President having signed the same, they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

On motion,

Ordered, That the Senate adjourn until this afternoon. 7 o'clock.

Wednesday Afternoon 2 o'clock, Jan. 1822.

The Senate assembled pursuant to adjournment.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act attaching part of Clark county to Washington county, in which they ask the concurrence of the Senate.

The bill was read the first time—And
On motion by Mr. Bartholomew—

Ordered, That the farther consideration of the bill be postponed until the first Monday of December next.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed a joint resolution of the General Assembly from the Senate, with amendments. They have concurred in the 1st, 3d, 4th and 5th amendments made by the Senate to the engrossed bill entitled an act in amendment of an act to reduce into one all the acts and parts of acts, relative to crimes and punishments &c. but refuse to concur in the 2d amendment. They have received official information from his Excellency the Governor, thro' Mr. Moore his private secretary, that his Excellency did on the 31st December last approve and sign an act to provide for judicial circuits, and for fixing the times of holding courts, which originated in the House of Representatives.

The Senate insisted upon the 2d amendment made by the Senate to the engrossed bill from the House of Representatives entitled an act in amendment of the act to reduce into one all the acts and parts of acts relative to crimes and punishments &c.; and concurred in the amendment made by the House of Representatives to the engrossed joint resolution of the General Assembly "

Ordered, That Mr. Wick inform the House of Representatives thereof.

The engrossed bill from the House of Representatives entitled "an act to amend the act defining the duties of constables," was read the third time as amended—And

Resolved, That the same pass.

Ordered, that Mr. Wick inform the House of Representatives of the passage of the bill, and request their concurrence in the amendments.

A message from the House of Representatives by Mr. Milroy, a member; announcing that the House of Representatives had passed an engrossed bill, entitled "an act respecting county libraries and county agents," and requesting the concurrence of the Senate therein.

The bill was read three several times by consent—And

Resolved, That the same pass.

Ordered, That Mr. Graham inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Bassell, a member; announcing that the House of Representatives had passed an engrossed bill, entitled "an act in amendment of an act locating certain permanent roads therein named and for other purposes, approved January 22, 1829," in which they ask the concurrence of the Senate.

The bill was read; and,

Resolved, That the further consideration of the bill be postponed indefinitely.

A message from the House of Representatives, by Mr. Merrill, a member; announcing that the House of Representatives had passed an engrossed bill, entitled "an act, appointing commissioners to lay out a road from Lawrence,

through Vevay to Madison," to which the concurrence of the Senate is requested.

The bill was read; and,

On motion by Mr. Baird—

Resolved, That the further consideration of the bill be postponed indefinitely.

A message from the House of Representatives by Mr. Dewey, a member; announcing that the House of Representatives had passed an engrossed joint resolution for the relief of certain persons, to which they ask the concurrence of the Senate.

The resolution was read, and ordered to be laid on the table.

Mr. Blake from the committee for enrolled bill reported, that they had compared and found truly enrolled the following bills entitled acts, viz:

An act for dividing the state into Congressional districts for the election of members to the Congress of the United States. And—

An act authorising the guardians of the infant heirs of Henry Hickey deceased, to lay out certain monies.

A message from the House of Representatives by Mr. Love, a member; announcing that the Speaker had signed the bills last reported truly enrolled by Mr. Blake, and requesting the signature of the President thereto.

The President having signed the same, they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

A message from the House of Representatives by Mr. Canby, a member.

Mr. President—

The House of Representatives have passed an engrossed

Bill entitled "an act laying out certain permanent road," to which they request the concurrence of the Senate.

The bill was read; and,

On motion,

Resolved. That the further consideration of the bill be postponed indefinitely.

A message from the House of Representatives by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives have passed an engrossed bill from the Senate entitled "an act supplemental to an act subjecting real and personal estates to execution," with an amendment thereto: also,

They have passed an engrossed bill entitled "an act to amend the act directing the mode of proceeding in impeachment, approved January 21st, 1818; and a joint resolution for the benefit of Harbin E. Moore, and for other purposes.

The Senate concurred in the amendment made by the H. of Representatives to the engrossed bill from the Senate entitled "an act supplemental to an act subjecting real and personal estates to execution."

Ordered, That Mr. Wick inform the House of Representatives thereof.

The joint resolution for the benefit of Harbin H. Moore, and for other purposes, was read;—and Mr. Baird moved to strike out the 1st section from the resolving clause; which amendment was negatived;

The yeas and nays being demanded,

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Clark, Daniel, Graham, and Gregory, 6.

and in the negative were,

Messrs. Bennett, Blake, Cotton, Gray, Harrison, Laughlin, Slaughter, and Sholts, 3.

Mr. Slaughter moved to strike out the 2d section, which motion was rejected—

And the yeas and nays being demanded,

Those who voted in the affirmative were,
Messrs. Gray, and Slaughter, 2.

And in the negative were,

Messrs. Baird, Bartholomew, Bennett, Blake, Clark, Cotton, Daniel, Gregory, Graham, Harrison, Laughlin, & Sholts, 12.

The resolution was read a third time; and,
Resolved, That the resolution pass.

The yeas and nays being demanded by two members,

Those who voted in the affirmative were,

Messrs. Bartholomew, Bennett, Blake, Cotton, Gray, Graham, Harrison, Laughlin, and Sholts, 9.

And in the negative were,

Messrs. Baird, Clark, Daniel, Gregory, and Slaughter, 5.

Ordered, That Mr. Wick inform the House of Representatives thereof.

The following message was received from his Excellency the Governor, by H. M. Moore, Esq. his private secretary:

Mr. President—

I am requested by his Excellency the Governor, to announce to the Senate that he did on this day approve and sign,

An act relating to the navigation of the river Wabash.
 An act for the relief of the county agent of Pike county.
 An act amendatory to an act entitled an act authorising the granting of letters testamentary and letters of administration, for the settlement of intestate estates and for other purposes.

An act authorizing John Fischli to keep a ferry below and adjoining the town of Jeffersonville—and a joint resolution for the relief of Benjamin Adams—all of which originated in the Senate.

Respectfully, &c.

H. H. MOORE.

The engrossed bill from the House of Representatives, entitled "an act to amend the act prescribing the mode of proceeding in impeachment, approved January 21st, 1818, was read three several times by consent—and,

The yeas and nays being demanded by two members, on the passage of the bill,

Those who voted in the affirmative were,
 Messrs. Bartholomew, Bennett, Blake, Cotton, Daniel, Gray, Gregory and Laughlin, 8.—and,

Those in the negative were,
 Messrs. Baird, Clark, Slaughter and Shotts, 4.

Ordered, That Mr. Wick inform the House of Representatives of the passage of the bill.

On motion by Mr. Laughlin—

The following resolution was unanimously adopted.

Resolved, by the Senate of the state of Indiana, that his Excellency Ratliff Bonn, president of the Senate, deserves and receives the warm acknowledgments of the Senate for the intelligent, prompt and decisive manner in which he has discharged the duties of the chair.

On motion—

Ordered, That the Senate adjourn until this evening six o'clock.

WEDNESDAY EVENING Jan. 21, 1822—6 o'clock.

The Senate assembled pursuant to adjournment.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President,

The House of Representatives have passed an engrossed bill entitled An act making appropriations for the support of government for the year 1822 which originated in the House of Representatives, and in which they ask the concurrence of the Senate.

The bill was read twice—and,

On motion—

Ordered, That the bill be committed to a committee of the whole on this day.

And the Senate now resolved themselves into a committee of the whole on the said bill. Mr. Gregory in the chair, and after some time spent therein the committee rose and the bill was reported to the Senate with sundry amendments thereto, which amendments were concurred in, except the one giving compensation to Marston G. Clark for money expended by him as Bank Director on the part of the state of Indiana.

And the yeas and nays being demanded.

Those who voted in the affirmative were,

Messrs. Baird, Bartholomew, Gray, Harrison, Laughlin and Shotts, 6.

And in the negative were,
Messrs. Bennett, Cotton, Daniel and Gregory, 4.
And so the amendment was concurred in.

On motion by Mr. Cotton—

The bill was amended by allowing to Abijah Bayless the sum of twenty five dollars for his expenses as a Bank Director.

And the yeas and nays being demanded,

Those who voted in the affirmative were,
Messrs. Baird, Bartholomew, Clark, Cotton, Laughlin, Sholts and Mr. President, 7.

And those in the negative were,
Messrs. Bennett, Blake, Daniel, Gregory, Gray and Harrison, 6.

On motion by Mr. Cotton—

The bill was amended by allowing to Ratliff Boon the sum of ten dollars for money expended as a Director of the State Bank on the part of the state.

And the yeas and nays being demanded,
Those who voted in the affirmative were,
Messrs. Baird, Bartholomew, Cotton, Clark, Graham, Gray, Harrison, Laughlin and Sholts, 9.

And in the negative were,
Messrs. Bennet, Blake, Daniel, Gregory & Slaughter, 5.

Mr. Gregory moved to amend the bill by allowing the sum of thirty dollars to Jonathan Lindley, for his expenses as a Bank Director.

And the yeas and nays being demanded,
Those who voted in the affirmative were,
Messrs. Cotton and Gregory, 2.

And in the negative were,
Messrs. Baird, Bartholomew, Bennett, Clark, Daniel, Graham, Gray, Harrison, Laughlin, Slaughter & Sholts, 11.

And so the amendment was rejected.

Mr. Daniel moved to strike out so much of the bill as appropriates \$500 on the state prison.

And the yeas and nays being demanded,

Those who voted in the affirmative were,
Messrs. Baird, Blake, Bennett, Daniel, Graham and Gregory, 6.

And in the negative were,
Messrs. Bartholomew, Clark, Cotton, Gray, Harrison, Laughlin, Slaughter and Sholts, 8.

And so the motion was negatived.
The bill was read the third time by consent; and,
Resolved, That the same pass.
The yeas and nays being demanded on the passage,

Those who voted in the affirmative were,
Messrs. Baird, Bartholomew, Blake, Cotton, Graham, Gray, Harrison, Laughlin, Slaughter and Sholts, 10.

And in the negative were,
Messrs. Bennett, Clark, Daniel and Gregory, 4.

Ordered, That Mr. Wick inform the House of Representatives of the passage of the bill, and request their concurrence in the several amendments.

Mr. Blake, from the committee for enrolled bills, reported that they had compared and found truly enrolled,

A joint resolution of the General Assembly of the state of Indiana—and,

An act for the relief of the sheriff of Fayette county.

A message from the House of Representatives, by Mr. Ray, a member.

Mr. President—

The House of Representatives have passed a joint resolution respecting the printing of the journals of the present General Assembly, which originated in the House of Representatives, in which they ask the concurrence of the Senate.

The said resolution was three times read by consent, and Resolved, That the same pass.

And the ayes and noes being demanded by two members, on the passage thereof.

Those who voted in the affirmative were Messrs. Bennett, Bartholomew, Cotton, Gray, Graham, Gregory, Harrison, Laughlin and Sholts, 9.

And in the negative were Messrs. Baird, Blake, Clark and Slaughter, 4.

A message from the House of Representatives, by Mr. Baillet.

Mr. President—

I am directed by the House of Representatives to inform the Senate that they have receded from their objections to the amendment made by the Senate by striking out the 6th section of the bill in amendment to the act reducing into one all the acts and parts of acts relative to crimes and punishments approved January 29th, 1818."

And he withdrew.

A message from the House of Representatives, by Mr. Dewey, a member.

Mr. President—

The House of Representatives have passed an engrossed bill entitled an act for the relief of John F. Chubb, which originated in the Senate, with some amendments, to wit: by striking out the preamble and including in the relief contemplated by the bill, Abraham Markle and others, in which they ask the concurrence of the Senate.

On motion,

To concur in said amendments, it was determined in the negative—and so it was

Resolved, That the Senate do not concur in said amendments.

Ordered, That Mr. Blake inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Thornton, their assistant clerk.

Mr. President—

The House of Representatives recede from their objections to the engrossed bill entitled "an act to reduce into one all the acts and parts of acts relative to crimes and punishments, approved January 29th, 1818."

A message from the House of Representatives, by Mr. Kimberly, a member.

Mr. President—

The House of Representatives have adopted the following resolution, viz:

Resolved, That the Secretary of the Senate and Clerk of the House of Representatives be directed to deliver to the Secretary of State the surplus stationary and furniture of their respective houses, for safe keeping until the adjournment of the General Assembly—and that the House of Rep-

Representatives be informed thereof and their concurrence therein requested.

On motion,

Ordered. That the Senate concur in the resolution, and that Mr. Wick inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Merrill, a member.

Mr. President—

The House of Representatives have adopted the following resolution, viz.

Resolved, That a committee be appointed, to act with a similar committee which may be appointed on the part of the Senate to wait upon his Excellency the Governor, to inform him that both Houses of the General Assembly have finished the business before them, and to inquire of him whether he has any other communication to make to them, and that Messrs. Merrill and Thompson are appointed that committee on the part of the House of Representatives, and that the House of Representatives request a similar committee.

On motion by Mr. Blake—

Resolved. That a committee be appointed, to act with a similar committee on the part of the House of Representatives, to wait on his Excellency the Governor to inform him that both Houses of the General Assembly have finished the business before them, and to enquire of him whether he has any other communication to make to them.

Ordered. That Messrs. Blake and Cotton be a committee on the part of the Senate, and that Mr. Blake inform the House of Representatives thereof.

On motion—

Ordered. That the Senate adjourn until to-morrow morning at 7 o'clock.

THURSDAY Morning, Jan. 3d, 1822—7 o'clock.

The Senate assembled pursuant to adjournment.

Mr. Blake from the committee for enrolled bills reported, that they had compared and found truly enrolled, the following enrolled bills, viz.

An act amending and confirming an act, entitled an act regulating the fees of the officers and persons therein named, approved, January 21st, 1818.

An act authorising the agent at Indianapolis to lease a ferry and for other purposes.

A joint resolution respecting the revision of the laws.

An act supplemental to an act to prevent waste on lands reserved for the use of schools and salt springs.

An act to provide for the distribution of the laws and journals.

An act to amend the act defining the duties of constables.
An act respecting county agents & county libraries—and,

An act supplemental to an act entitled an act subjecting real and personal property to execution.

A message from the House of Representatives, by Mr. Lane, a member, announcing that the Speaker had signed the bills last reported truly enrolled, by Mr. Blake, and requesting the signature of the President thereto—also, a joint resolution of the General Assembly of the state of Indiana—And,

An act for the relief of the sheriff of Fayette county.

The President having signed the same, they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

A message from the House of Representatives by Mr. Thornton their assistant clerk.

Mr. President,

The House of Representatives have concurred in all the amendments made by the Senate to the engrossed bill entitled an act making appropriations for the support of government for the year 1822, except the amendments giving a compensation to the directors of the state bank, and they insist upon their amendments to the bill for the relief of John T. Chunn.

On motion,

The Senate receded from their amendments to the bill from the House of Representatives, making appropriations for the support of government, for the year 1822, which amendments are by allowing a compensation to Bank Directors.

Mr. Blake from the committee for enrolled bills reported, that they did on this day present to the Governor for his approval and signature, an act for dividing the state into Congressional districts for the election of members to the Congress of the United States.

An act authorising the guardians of the infant heirs of Henry Hecky, deceased, to lay out certain monies.

An act supplemental to an act entitled an act subjecting real and personal estates to execution.

A joint resolution of the General Assembly of the state of Indiana.

An act for the relief of the sheriff of Fayette county.

A message from the Governor by Mr. Moore, his private secretary, announcing that his Excellency did, on this day, approve and sign the said bill and joint resolution reported, presented by Mr. Blake.

On motion by Mr. Daniel—

The Senate adhered to their objections to the amendments to the bill for the relief of John T. Chunn.

Ordered, That Mr. Daniel inform the House of Representatives thereof.

Mr. Blake from the committee for enrolled bills reported, that they had compared and found truly enrolled,

A joint resolution respecting the laws and journals of the present session of the General Assembly.

A joint resolution for the benefit of H. H. Moore and for other purposes.

An act in amendment of an act to reduce into one all the acts and parts of acts relative to crimes and punishments, approved January 29th, 1818.—And,

An act to amend the act, directing the mode of proceeding in impeachment.

A message from the House of Representatives, by Mr. Lane, a member, announcing that the Speaker had signed the said bills and joint resolutions last reported, truly enrolled, by Mr. Blake, and requesting the signature of the President thereto.

The President having signed the same, they were severally handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

Mr. Blake from the committee for enrolled bills reported, that they had compared and found truly enrolled,

An act making appropriations for the support of government for the year 1822.

A message from the House of Representatives, by Mr. Lane, a member, announcing that the Speaker had signed

the said bill, reported truly enrolled by Mr. Blake, and requesting the signature of the President thereto.

The President having signed the said bill, it was handed to the committee for enrolled bills to be presented to the Governor for his approval and signature.

A message from the House of Representatives, by Mr. Tipton, a member.

Mr. President—

The House of Representatives have adopted the following resolution, viz.

Resolved, That the Senate be informed that the House of Representatives have gone through their business and are now ready to adjourn *sine die*.

Mr. Blake from the committee appointed to wait on his Excellency the Governor, and inform him that both Houses of the General Assembly had gone through their business, &c. now reported that they had performed their duty, and had received for answer, that his Excellency had no further communications to make them.

On motion by Mr. Gregory—

Resolved, That the House of Representatives be informed that the Senate have gone through their business, and are now ready to adjourn, *sine die*.

Ordered, That Mr. Gregory inform the House of Representatives thereof.

On motion—

Ordered, That the Senate adjourn *sine die*.

J. MORRISON, Sec'y Senate.

A REPORT,

OF THE

COMMITTEE ON EDUCATION.

THURSDAY MORNING, Dec- 6, 1821.

Messrs. Caswell, Todd and Welsh, from the committee appointed by the last General Assembly, to prepare a bill, providing for a regular system of education, now made the following report:

The committee appointed by a joint resolution of both Houses of the General Assembly of the state of Indiana, to draft and report, at the present session, "A bill providing for a general system of Education, ascending in a regular gradation, from Township Schools to a State Seminary, wherein tuition shall be gratis, and equally open to all; respectfully beg leave to report, that they have had the subject under consideration—and fully reciprocating the sentiments expressed by the General Assembly, as to the importance of a general diffusion of learning and knowledge among the rising generation, particularly in a government, which, like ours, is bottomed upon *public opinion*, and where intelligence and virtue are the strong safeguards of the Republic; have given it all the attention which time and their various avocations would permit.

Your Committee have to request, that owing to the sickness and death of part of their number, and the non-attendance of others, they have not

only been deprived of the benefits anticipated from the well known talents and learning of those with whom they had the honor to be associated; but those circumstances have put it out of the power of your Committee sooner to convene, that a greater portion of time, since the last session of the General Assembly, might have been devoted to the important duties enjoined upon them by the resolution. Although by the resolution of your honorable body, your committee were only instructed to report a bill providing for a general system of education, yet they have deemed the subject of sufficient importance to justify a brief report, shewing the grounds of calculation upon which, a bill when reported, may eventually rest.

The donations made by the Congress of the United States, for the benefit of Schools and a State University (although not without a consideration given on the part of the state, by a relinquishment of the right of taxation for a limited time) are liberal in the extreme; and the Union collectively, although they cannot control, have an indirect interest in their final appropriation. It is believed by your committee, that if a proper disposition be made of those donations, a permanent fund may be created, sufficient in amount not only to disseminate the general and more necessary branches of education in the several townships, but also to furnish such endowments to an university, as with some assistance will enable this state to occupy, in a literary point of view, a highly respectable standing. But this, in the opinion of your committee, cannot be expected immediately. High attainments in literature, are not the results of a moment; but like all other improve-

ments, must be gradual and progressive. Your committee are deeply impressed with the importance of the *first step* which may be taken towards the accomplishment of the grand design. Should a hasty and improvident disposition be made of those funds, your committee are well aware, that the error may be fatal; and that the grants of the General Government, so beneficial in their object and so liberal in their amount, will be rendered unavailing; thereby destroying the brightest prospects, not only of the present generation, but those which are to come after us. Under this view of the subject, your committee cannot but feel, that they are travelling over consecrated ground; and they do not mean it as a common place remark, when they say that it is with diffidence they suggest a course of measures, which, if finally adopted by the Legislature, must be pregnant with such important consequences.

Your committee have been induced to lay before the General Assembly, the result of their deliberations, so far as they have progressed, that the committee on the subject of education, may be as early as possible in possession of the facts and calculations upon which they may be called to report, and which shew the foundation of the systems which have heretofore been adopted by older states.

The state of Indiana is estimated by your committee, to contain twenty two millions three hundred and twelve thousand nine hundred and sixty acres, including land and water.

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From this amount, your committee have made the following deductions:

| | |
|--|------------------|
| For that part of the state covered by the waters of Lake Michigan, | acres. 96,000 |
| For those lands embraced by Clark's rant, | 149,000 |
| For Reservation in Knox and other counties, | 30,420 |
| For lands reserved for the use of the university, | 46,080 |
| Total amount of deduction, | 417,500 |
| Amount of the whole area, | 22,312,960 |
| Amount of deduction, | 417,500 |
| | <hr/> 21,895,460 |

From which aggregate amount, one thirty-sixth part is to be taken as lands appropriated for the use of schools, amounting to six hundred and eight thousand two hundred and seven acres.

These lands, or part of them, your committee would recommend, should be put in market as soon as practicable; and the situation of the country will justify the measure.

The following table will show what may be realized by such sale, at the relative prices of one dollar and twenty-five cents to five dollars per acre, provided the whole amount should be put in market, and can be sold:

V

| | |
|---------------------------|---------------|
| Amount of sales at \$1,25 | \$ 760,258 90 |
| Do. at 1,50 | 912,310 |
| Do. at 1,75 | 1,064,362 |
| Do. at 2,00 | 1,216,444 |
| Do. at 2,25 | 1,368,465 |
| Do. at 2,50 | 1,520,517 |
| Do. at 2,75 | 1,672,569 |
| Do. at 3,00 | 1,824,621 |
| Do. at 3,25 | 1,976,672 |
| Do. at 3,50 | 2,128,724 |
| Do. at 3,75 | 2,280,776 |
| Do. at 4,00 | 2,432,828 |
| Do. at 4,25 | 2,584,879 |
| Do. at 4,50 | 2,736,931 |
| Do. at 4,75 | 2,888,983 |
| Do. at 5,00 | 3,041,035 |

For the purpose of facilitating the sale of the aforesaid lands, your committee would recommend the establishment of one or more Land Offices, at the discretion of the General Assembly, to be placed at such points as they may think most advantageous,

Whether these lands shall be sold for cash in hand, or upon credit, payable by instalments, your committee find some difficulty in determining.—In favor of a sale for cash in hand, it may be urged, that if the proceeds of the sales are funded, together with the interest at the expiration of each year, that the accumulation will be greater than can be realized from the extra price for which it is supposed the lands will sell, should a credit be allowed. Your committee, however, are inclined to think, that considering the present embarrassed state of the circulating medium of

the country, the scarcity of the precious metals, and the great amount of land now in market, that greater inducements will be held out to purchasers, should the lands be sold on a credit of four years, payable by instalments, according to the system heretofore adopted by the United States; and that the lands will command a price of more than sufficient to balance such accumulation.— But whether the accumulation of a debt existing between the government and the people, and the consequent forfeitures which may be expected to follow such credits, are considerations sufficient to overbalance the difference in price, your committee will not attempt to determine. Should the lands be sold for prompt payment, and the proceeds, together with the annual interest, be put upon loan, the fund will rapidly encrease in amount, and the yearly dividends will consequently be greater.

The following table will shew the ratio of increase, from one to ten years, from the different prices, from one dollar and twenty-five cents to five dollars per acre.

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A TABLE, shewing the ratio of increase from one to ten years, at the different prices of one dollar twenty-five cents to five dollars per acre, upon the principle of paying the principal and interest at the expiration of each year.

| Price of Lands. | At the several prices of \$1 to \$5,000 per acre. | At the several prices of \$1 to \$5,000 per acre. | At the several prices of \$1 to \$5,000 per acre. | Do. 3 years. | Do. 4 years. | Do. 5 years. | Do. 6 years. | Do. 7 years. | Do. 8 years. | Do. 9 years. | Do. 10 years. |
|-----------------|---|---|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| \$1 25 | 760,258 | 805,878 | 858 2 5 | 935,378 | 959,806 | 1,17, 91 | 1, 75,457 | 1,125 125 | 1,211,731 | 1,284,431 | 1,361,500 |
| 1 50 | 912,310 | 967,048 | 1,025,070 | 1,086,571 | 1,151,768 | 1,220,874 | 1,294,126 | 1,371,773 | 1,451,079 | 1,541,323 | 1,665 102 |
| 1 75 | 1,064,362 | 1,228,223 | 1,125,876 | 1,267,628 | 1,343,685 | 1,424,306 | 1,509,784 | 1,600,349 | 1,696,369 | 1,798,151 | 1,906,040 |
| 2 00 | 1,216,414 | 1,289,398 | 1,366,761 | 1,448,766 | 1,535,691 | 1,627,832 | 1,725,501 | 1,829,651 | 1,938,772 | 2,095,698 | 2,178,403 |
| 2 25 | 1,368,465 | 1,450,572 | 1,527,607 | 1,629,863 | 1,727,655 | 1,831,314 | 1,941,193 | 2,067,665 | 2,192,945 | 2,324,500 | 2,469 9 0 |
| 2 50 | 1,520,517 | 1,611,748 | 1,708,452 | 1,810,959 | 1,919,616 | 2,034,782 | 2,156,368 | 2,285,280 | 2,422,396 | 2,567,739 | 2,721,803 |
| 2 75 | 1,672,569 | 1,772,923 | 1,879,290 | 1,992,056 | 2,111,579 | 2,238,174 | 2,372,464 | 2,514,812 | 2,665,643 | 2,825,613 | 2,995,182 |
| 3 00 | 1,824,621 | 1,930,093 | 2,045,903 | 2,165,657 | 2,298,776 | 2,436,962 | 2,582,984 | 2,737,878 | 2,902,150 | 3,076,276 | 3,260,852 |
| 3 25 | 1,976,672 | 2,095,272 | 2,220,988 | 2,354,247 | 2,505,561 | 2,655,831 | 2,815,180 | 2,984,090 | 3,163,135 | 3,352,923 | 3,554,098 |
| 3 50 | 2,128,724 | 2,250,447 | 2,381,734 | 2,535,238 | 2,687,352 | 2,848,593 | 3,019,509 | 3,200,679 | 3,392,720 | 3,596,283 | 3,812,061 |
| 3 75 | 2,280,776 | 2,417,622 | 2,562,679 | 2,716,439 | 2,879,425 | 3,052,190 | 3,235,321 | 3,429,440 | 3,635,206 | 3,853,348 | 4,081,517 |
| 4 00 | 2,432,828 | 2,578,891 | 2,733,628 | 2,987,645 | 3,166,904 | 3,356,913 | 3,558,334 | 3,771,834 | 3,998,836 | 4,238,033 | 4,482,315 |
| 4 25 | 2,584,879 | 2,739,971 | 2,904,374 | 3,078,632 | 3,263,350 | 3,459,151 | 3,666,690 | 3,886,691 | 4,019,893 | 4,267,086 | 4,629,114 |
| 4 50 | 2,736,931 | 2,901,146 | 3,075,214 | 3,259,726 | 3,455,309 | 3,662,627 | 3,882,384 | 4,115,327 | 4,362,246 | 4,623,981 | 4,901,448 |
| 4 75 | 2,888,983 | 3,062,321 | 3,246,061 | 3,440,825 | 3,647,374 | 3,866,217 | 4,098,190 | 4,344,081 | 4,604,766 | 4,881,009 | 5,187,865 |
| 5 00 | 3,041,035 | 3,125,497 | 3,310,906 | 3,509,560 | 3,720,133 | 3,943,340 | 4,179,940 | 4,430,733 | 4,695,580 | 4,978,374 | 5,277,076 |

This table, together with the other, may probably contain some errors, and in no instance have the fractional parts of a dollar been calculated; but they are supposed to be sufficiently correct to answer all the purposes for which they are intended.

Should the Legislature be disposed to fund the proceeds of the sales, it is believed by your committee, that at the expiration of six years, a sufficient dividend may be made to maintain a school in each school district, for the term of 3 months in each year, out of the public money alone.

Your committee are also of opinion, that a school for a shorter term than three months in each year, would not be calculated to promote the intended object, and that good teachers cannot be obtained without great difficulty, for a shorter term. To effect this object, your committee would recommend that so soon as any money shall be received upon such sales, or upon instalments which may become due from time to time, that the amount be loaned upon mortgages of real estate, in small sums, the interest to be paid annually, which interest also be funded in like manner, at the expiration of each year, having special regard that the debt be perfectly secured, upon such landed estates as have an undoubted title, the amount of which shall be sufficient to secure the state against all possible losses. But should the dividends be immediately made after the first year, without further increase, the following table will shew the number of townships in which schools are eventually to be organized, the number of

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schools necessary, allowing nine square miles to each school district, the amount of dividend for the first year, at the relative prices; also the amount which may be divided, should the fund be permitted to accumulate for the term of six years.

Number of towns in which schools are to be organized, 950

Allowing each school district to contain nine square miles, there will be in the state 3,800 schools

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The following table will shew the amount of the annual dividend after the expiration of the first and sixth year, at the relative prices of \$1.25 to \$5.00 per acre.

| Price of Lands. | | Dividend after 1st year. | | Dividend after five years. |
|-----------------|-----------------------------|--------------------------|-----------------------------|----------------------------|
| At \$1.25 | Dividend for each district. | \$12.00 | Dividend for each district. | \$17.02 |
| 1.50 | " | 14.40 | " | 20.43 |
| 1.75 | " | 16.80 | " | 23.84 |
| 2.00 | " | 19.20 | " | 27.25 |
| 2.25 | " | 21.60 | " | 30.66 |
| 2.50 | " | 24.00 | " | 34.07 |
| 2.75 | " | 26.40 | " | 37.48 |
| 3.00 | " | 28.80 | " | 40.89 |
| 3.25 | " | 31.20 | " | 44.30 |
| 3.50 | " | 33.60 | " | 47.71 |
| 3.75 | " | 36.00 | " | 51.12 |
| 4.00 | " | 38.40 | " | 54.53 |
| 4.25 | " | 40.80 | " | 57.94 |
| 4.50 | " | 43.20 | " | 61.35 |
| 4.75 | " | 45.60 | " | 64.76 |
| 5.00 | " | 48.00 | " | 68.17 |

It is impossible for your committee to determine the amount of money which may be raised by selling the lands upon credit and funding the instalments, as they become due; but it is presumed the amount will be less than upon a cash sale. The above calculations are made upon the supposition of a sale of the whole of the lands; but as the proportion of school lands is the same throughout the state; the dividend in each township will be the same, although no sales should be effected, but in a more settled part of the country.

In determining the number of schools which may be necessary throughout the state, your committee have allowed nine square miles to each district, which will give to each township four district schools.

If these are properly located, the extreme distance which any children will have to travel to attend school, will be but little more than one mile and one half. This calculation, it is presumed, will suit the present population of this state; but in the state of New-York, the law provides for the establishment of a school upon every four square miles, and if we allow to every quarter section of land, four children, between the ages of four and sixteen years, the number would be sixty four in every school district; a number sufficiently large, in the opinion of your committee, for advantageous improvement. Upon that calculation, nine school districts, instead of four, would be necessary in each township, which will consequently increase the number from three thousand eight hundred to eight thousand five hundred and fifty. It is the opinion of your committee, that the present population will not require a greater

number than four, and the change can be made whenever the situation of the country shall require it. Your committee would therefore recommend, that a school district be located and established upon every territory of land comprising nine square miles, whenever the population in such township and the situation of the school lands will justify it; the location to be made as nearly central within the district as may be.

Another system of rendering donation lands productive, has been adopted in many parts of the United States, which is that of leasing the lands, either permanently, or for a life or lives. But the same beneficial results have not been here as in Europe.

In England all lands are held by that kind of tenure, and the immense population of that country are not left to their choice of titles. The privileges attendant upon a fee simple interest, are not within the reach even of the wealthy; and although the existence of the people in a great measure depends upon a preservation of the timber and a proper cultivation of the soil, yet even there, the restrictions and forfeitures attendant upon those estates, are often considered burdensome and oppressive. If the sole object of the farmer were the accumulation of wealth, it will not be denied by your committee, that leases would be preferred; for it is believed that the individual who pays during his life the annual interest of five dollars per acre, by way of ground rent, pays a less sum than the purchaser, who advances his purchase money, although he should buy the land at a much less price than five dollars per acre. But the independence attached to a fee simple

ple interest, it is hoped, will long be cherished by every freeman, as one of his dearest rights.

It is believed, by your committee, that the great mass of individuals, who would make good tenants, will prefer the allodium, and they cannot but be strongly impressed with a belief, that even permanent leases will not protect the property of the state from destruction, unless restrictions are imposed upon tenants, which might be considered incompatible with the principles of a free government. Should restrictions be imposed, much danger is to be apprehended in progress of time, from litigation and disputes, which may arise between the government and the people, should the system of leasing be adopted. If the tenants hold the lands without impeachment of waste, the experience of our sister states furnishes ground of fear, that after a few years, those tenants will find it convenient to quit the premises, not only leaving rent in arrear, but doing such damage to the lands, as will place it beyond the power of the state, either to sell or lease them for many years. This system of leasing is also more objectionable here than in many of the eastern and northern states.

In most parts of that country, the second growth of timber is more thrifty than the first, and lands which were cleared of timber in the year eighteen hundred, have now a sufficient growth upon them to answer all the common purposes of life. But your committee would enquire, whether the experience of this country as to the second growth of timber, will justify such an expectation, as it regards the greater portion of lands in this state.

As an answer to these objections, it may be urged, that the tide of emigration is steadily flowing

so the west, and that the future population of the state will justify the expectation, that tenants of a better class will soon be numerous. Put it must be recollected, that the field for emigration is also immense, and that the tide will probably continue to roll on over the western wilds, until it reaches the Pacific Ocean; so that little change can be expected, until the long distant ebb shall return upon us a redundant population.

Your committee are however apprised, that many of your honorable body entertain different sentiments, as to the best method of rendering the school funds productive and have therefore prepared a table, shewing what amount may probably be realized, by selling the lands at auction to the highest bidder, the purchaser paying annually, the interest of the amount he shall bid for the land, also shewing the increase of that fund by a loan of the amount of interest, from year to year, for the term of six years.

Suppose the lands to be sold at \$3 50 per acre, the purchaser paying annually the interest of the amount of sale, the yearly amount to be paid for a quarter section would be twenty one cents per acre, which is equal to, \$36 60

Making for the whole, the gross sum of 127,720 00

If this sum together with the interest and the instalments, as they become due, from year to year, be funded for the term of six years; the whole amount will be 1,018,630 00

Interest of this sum one year is \$53,454

Annual sum to be added as income, 127,723

\$181,177

Making the sum, annually to be divided, 181,177 00

Amount of dividends, for each school, will be 47 67

Should the lands sell at 4 dollars per acre, the amount to be paid for a quarter section will be twenty four cents per acre, equal to 38 40

Making for the whole, the gross sum of 145,909 00

If this sum together with the annual interest, and the instalments as they become due, from year to year, be funded for the term of six years, the whole amount will be

1,164 508 00

The amount to be divided at the end of six years, will be

207 081 00

Amount for each school district,

51 19

In order that a regular system of education may be adopted throughout this state, and that the public funds shall not be improperly appropriated; your committee would recommend, that a board of inspection be appointed, in each county wherein schools are to be established, whose duty it shall be, to examine the qualifications of all teachers, who may be offered by the trustees of the several school districts for employment, and shall give the person applying, a certificate of qualification, if they find his acquirements such as will justify such certificate, and that in no instance, the trustees of such school district be authorised to receive the dividends appropriated by law, for the payment of such teachers, unless the person by them employed, to teach such school, shall first have received such certificate. Your committee would further recommend, that it be made the duty of such inspectors, some or one of them, at least twice in each session, to visit and examine the several schools in their county, with a view of ascertaining the manner in which said schools are taught, and the improvements made in the several branches of education.

This course is suggested under a belief, that a public examination is calculated to excite vigilance in the instructors, and a spirit of emulation, among the youths under their charge.

Should strict attention be paid to the organization and improvement of township schools, they may become nurseries of teachers, for the wide extent of country yet to be settled.

Your committee would further suggest, that no person shall be considered as a competent teacher of such district school, unless he be of good moral character, and well versed in reading, writing, arithmetic, English Grammar, Geography and surveying.

Your committee have been more particular as to the qualifications of instructors, from a belief, that few persons will feel themselves able to educate their sons at the University, and your committee have considered the above qualifications as indispensable to a good English education.

The annual fund for the benefit of township schools, it is presumed, will not be more than sufficient to pay the instructors who must necessarily be employed, upon the system which has been suggested.

Towards the further accomplishments of the great object, your committee would recommend, that the qualified electors within the bounds of each school district, when organized for certain purposes, be a body politic and corporate, with power by their vote to levy and collect a sufficient tax, to erect suitable buildings for the purposes of a school, and also by their vote to levy and collect a tax sufficient to maintain a school in such district, for any portion of time in each year, which they may think proper, in aid of the general appropriation from the common fund.

Your committee are aware, that to compel the people of a district, to support a school against their will, might be considered an infringement of their natural rights, but if each school district is left at liberty to adopt or reject such tax, it cannot in the opinion of your committee, be considered either burthensome or oppressive.

As to the quality of buildings to be erected, and the time for which such schools shall be kept, they are left at liberty to determine, and of their comparative poverty or wealth, may be the sole judges.

Your committee would recommend, that the internal police and management of such schools, be intrusted (in addition to the board of inspection and instructor, as aforesaid,) to a suitable number of trustees, to be elected by the qualified electors in each district, who shall have power to employ teachers, furnish fuel and other necessities for the school, and to exercise a general superintendence over the concerns of said district.

ON THE SUBJECT OF COUNTY SEMINARIES.

As to the monies arising from fines, forfeitures and commutations for military service, your committee beg leave to enquire, whether the laws upon those subjects may not need amendment, and would respectfully advise, that they be made as efficient as practicable, for ascertaining the correct amount, and for securing and collecting the monies annually.

The amount of these monies, either on hand or now due, your committee cannot, for want of sufficient data, with any precision conclusively state, but conjecture that the following estimates may not be far from correct:

From examinations had of the reports of agents for county seminaries, of twenty-six counties, for eighteen hundred and twenty, and including the previous years, the amount is stated at three thousand dollars, and for the year one thousand eight hundred and twenty one, from six counties, at two thousand and sixteen dollars, making an aggregate of five thousand and sixteen dollars, as now reported.

Your committee, however, feel pretty confident that, upon a more full and careful investigation of the subject, there will be found due to the state, a much larger sum.

With regard to the establishment of county academies, your committee beg leave to enquire, whether the following plan may not be expedient, viz. That your Honorable body should, by law, make it the duty of the several townships, in each county, to elect one trustee for each township, and resident therein, to be a member of the board of such academy, whenever the county funds for that purpose, will authorise the establishment of such an institution, and that as soon as there shall have been a regular and fair return made from each township, of the persons elected in it for a trustee, certified by the clerk and judges of the election, to the clerk of said county, whose duty it shall be to record the same, and the several trustees so elected shall have taken an oath, faithfully to discharge the duties of a trustee in such county academy, such board shall then be in law and in fact a body politic and corporate, either as it respects prosecution or defence, the acquisition or disposal of property, the choice of a teacher, or any other act, calculated to

promote the interest of such academy, and corresponding with the original laws and constitution of the state of Indiana on that subject.

Your committee would, however, further recommend, that such academies should always be subject to any constitutional alterations, which the legislature may from time to time see proper to make.

Your committee further beg leave to recommend, a sale of the college lands upon the same principles heretofore suggested, as to the lands reserved for the use of township schools, and the funding the proceeds in like manner.

It is believed by your committee, that five dollars per acre, be a fair price to establish as a medium for the whole, under this view they submit the following table, which will shew the amount of lands, so far as your committee have been able to ascertain them, the amount of money which may be realized on such sale, the yearly accumulation of the fund, and the total amount at the expiration of six years. In this calculation, the interest is added to the principal, and loaned at the expiration of each year.

NOTES UPON THE COLLEGE TOWNSHIPS.

| | |
|---|-----------|
| Number of townships | 2 |
| " Sections unsold, | 64 |
| " Acres in 64 sections, | 40,960 |
| " Money for 40,960 acres, sold at \$5, one fourth to be paid on the day of sale, | \$204,800 |
| " One fourth of \$204,800, | 51,200 |
| " Interest on \$51,200, the 1st year, and to be added to it, making | 57,528 |
| " Interest on \$57,528, the second year, and to be added to it, making | 61,450 |
| " The second instalment of 51,200 at the end of the second year, and to be added to 61,450, and making | 112,650 |
| " Interest on \$112,650, for the 3d year, and to be added to it, together with the instalment due at the end of that year, | 170,587 |
| " Interest for the 4th year on 170,587, and to be added to it, together with the instalment due at the end of that | |

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year, and making the total sum of 322,022

Interest on 232,022, the 5th year,
and to be added to it, making at the
end of that year the total sum of 346,012

Interest on the last amount at the
end of the 6th year, and to be ad-
ded to it, making a total sum of - 260,772

With regard to an University for the state, contemplated in the law making provision for the promotion of *literature*, and the organization of such an institution, your committee recommend the passage of a law for establishing it, to be known by the name of the *University of Indiana*, and that a board of trustees be selected with great care, and appointed by law to superintend its interest.

Your committee think, that to appoint as great a number as are found composing the eastern boards, might not be advisable, and would for different reasons which might be assigned, tend rather to embarrass and retard the operations of such an institution, than give them facility.

Your committee would respectfully suggest the number of thirteen, besides the Governor and Lieut. Governor, who shall be trustees *ex officio*, a majority of whom having regularly met any time, shall form and be a quorum, for business; and that this board, constituted a body corporate and politic, should afterwards have authority to fill their own vacancies whenever they occur. That it should be the duty of this board, to appoint and manage all the interests of the institution, to select and employ a President, professors, tutors, a Librarian, Steward, &c.

Should the funds not be considerably increased, either by legislative aid or otherwise, beyond what a fair interest for five or six years will make them; your committee are of opinion, that the most expedient plan as introductory to an *University*, will be to establish a *College* first: In that case, to make it respectable or indeed useful, it is respectfully suggested, that it will be necessary to place a President at the head of it, whose duty it shall be, besides exercising a general superintendency, to participate personally in giving instruction to the highest or first class in *College*, *Logic*, *Metaphysics*, *Natural Philosophy* and *Criticism*.—2d. A professor of *Mathematics* and *Natural Philosophy*.—3d. A professor of *Geography*, ancient and modern, and *astronomy*, as also, 4thly, a professor of the *Latin*, *Greek* and *Hebrew* languages, with one or more assistant tutors.

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But should the funds be auspiciously managed and augmented, then and in that case, your committee take the liberty, prospectively, of submitting it as their opinion, that a variety of other editions, to the merely literary departments should also be made.

Should it therefore, in a pecuniary point of view be found practicable, your committee would further respectfully suggest, the propriety of adding a professorship in *Theology*, with one of the law: together with a *Medical School*, to be conducted by its proper Professor.

In this department of the *University*, your committee beg leave to recommend the following arrangement: 1st. *Caneal* proper; 2d, one on the *materia medica*, botany and natural history; 3d, one of chemistry; 4thly, one on physiology, anatomy and obstetrics, and 5thly, one of surgery.

The whole, both in the literary and other departments, forming a *Faculty*, and reciprocally aiding each other in preserving order, and giving dignity to the institution.

When the committee recommended these last variety of additions to the *College*, they are aware from their instructions, that a gratuitous education is intended by the legislature in the merely literary departments, and from the lowest of them in a common school, to the highest in an *University*.

In correspondence with this legislative intention, the committee have made their calculations for a term of years not exceeding six, when according to the estimates of the committee, the aggregate amount as will be seen from the tables, will be \$260,772, from this amount 60,772, may then safely be employed: Say 40,000 dollars of it in erecting a building, and the balance 20,772 dollars, in obtaining a *Library* and a *Philosophical and Chemical Apparatus*, in such proportions of each as may then be found most expedient.

After this deduction is made, it will be seen, that there will remain as a permanent fund of dolls. 200,000, the annual interest amount of which is dolls. 12,000, which, allowing the President dolls. 2,000 per annum, and to Professors, each, dolls. 1,200, and to the two tutors, each, dolls. 600.00. The whole amount of expenditures on the teachers will amount to \$3,800, leaving a balance yearly, of five thousand two hundred dollars, for appropriation in whatever way may be deemed best.

The committee submit it to the consideration of the legislature, whether it might not be advisable to appropriate an-

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anually \$1,000 of the remaining \$5,200 to increase the library.

With regard to the internal police, in any of the public institutions, from the Academy to the University, your committee have thought it would be premature in them to suggest any thing on that subject.

All the laws and regulations customary and necessary in the different departments in the College or University, must naturally and with propriety grow out of the authority with which your honorable body may be pleased to clothe the board of trustees, and with the exception of the tutors, all the various grades of instruction of each of them.

Your committee having thus briefly stated the result of their deliberations upon the several subjects indirectly involved in the resolution of your honorable body, would respectfully inquire, whether the public good imperiously demands that a further report should be made at the present session, or whether a vacation might not consistently be allowed your committee, or some one of them, or some other person to prepare a bill so tedious in detail as the organization of the different schools.

Your committee have preserved the materials which will greatly facilitate the drafting such bill, and wish to hold themselves subject to the will of your honorable body, but they humbly conceive, that until the General Assembly devise the means of rendering school funds productive, a bill organising schools, academies and universities, cannot be material.

Your committee would further suggest to your honorable body, that they have opened a communication with the heads of department of those states, where schools have been organized by public authority, as also with some of the most respectable literary institutions in the United States; from which sources they expect to receive such documents as will greatly facilitate the accomplishment of so desirable an object.

Those documents, together with the time which will be allowed for reflection and study, in the opinion of your committee are important, and ought not to be dispensed with, unless existing cause, not within the knowledge of your committee, render a different course necessary.

All of which is respectfully submitted.

DANIEL J. CASWELL,

Chairman of the Committee.

APPENDIX.

CORYDON, Dec. 6th, 1821.

The Senate of the state of Indiana, this day resolved itself into a court of impeachment for the trial of Curtis Gilbert, Esq. clerk of the Circuit court of the county of Vigo, on articles of impeachment exhibited against him by the House of Representatives of said state at the last session of the General Assembly; and assembled in the Senate chamber on the said 6th day of December, 1821. and the several members and president thereof, were sworn as the constitution directs.

PRESENT.

The Hon. RATLIFF BOON, President of the Senate.

SENATORS.

| | |
|-----------------------|------------------------|
| Hon. Patrick Baird. | Hon. William Graham, |
| " Joseph Bartholomew, | " John Gray. |
| " Brooke Bennett. | " James Gregory. |
| " Thomas M. Blake. | " Elisha Harrison. |
| " Hurston G. Clark, | " William B. Loughlin. |
| " John Conner. | " Frederick Shells. |
| " William Cotton. | " James B. Slaughter. |
| " Richard Daniel. | |

The managers appointed on the part of the House of Representatives, to conduct the prosecution of said impeachment, appeared at the bar of the Senate, and the respondents (with the exception of one) also appeared in proper person. When articles of impeachment were

read to him, and upon his request, the said respondent was admitted to appear by his counsel, Mr. Tabbs.

Mr. Tabbs, the respondent's counsel, moved the court for a postponement of the trial of the said impeachment, until Monday morning next at ten o'clock. And the motion was granted.

On motion,

Ordered, that the court adjourn until Monday morning ten o'clock.

R. BOON, Pres't. Senate.

MONDAY MORNING, Dec. 10th, 1820.

The court met pursuant to adjournment.

Present as on Thursday last.

This day came, as well the managers on the part of the House of Representatives, as the said respondent, by Mr. Tabbs his counsel; and the respondent, by his counsel, filed his answer to the said articles of impeachment. And the managers on the part of the House of Representatives filed an affidavit, made by Nathaniel Huntington, Esq. upon which affidavit a postponement of the trial of the impeachment for ten days was asked for, and an attachment against — Britton was demanded by said managers. The court unanimously overruled the motion for a postponement. And upon application of the managers, time was given them until to-morrow morning nine o'clock, to reply to the respondents answer.

Ordered, That the Court adjourn until to-morrow morning 9 o'clock.

R. BOONE, Pres't. Senate.

TUESDAY, December 11th, 1821.

The court met pursuant to adjournment.

PRESENT AS YESTERDAY.

This day came, as well the managers on the part of the prosecution as respondent, by Mr. Tabbs, his counsel, and the managers filed their replication to the respondent's answer, and the case proceeded to trial.

Witnesses for the prosecution sworn.

Nathaniel Huntington, — Pooke.

Witnesses for the respondent, sworn.

The Hon: — Doty, Lucius H. Scott, Esq. Gen'l. W. Johnston, Esq. Charles Dewey, Esq. J. M. Coleman, John Hamilton, Henry Allen, — Lambert, — Benting, Robert Sturgis, Hon. Thos. H. Blake and Josephus Collett, Court adjourned until one o'clock, P. M.

At ten o'clock, P. M. the Court assembled pursuant to adjournment—And,

Adjourned until to-morrow morning nine o'clock.

WEDNESDAY MORNING, Dec. 12, 1822, 9 o'clock.

The Court met pursuant to adjournment.

The Court now gave their opinion upon the several articles and specifications set forth in the impeachment separately. And upon the question, guilty or not guilty of a high crime or misdemeanor, in the specification just read, they were decided as follows, viz.

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| 1st Article | 1st specification, | guilty | 4 | not guilty | 14 |
|-------------|--------------------|--------|---|------------|----|
| 1 | " | 2 | " | 1 | " |
| 1 | " | 3 | " | 3 | " |
| 1 | " | 4 | " | 4 | " |
| 2 | " | 1 | " | 0 | " |
| | | | | | 15 |

The managers having abandoned the 2d and 3d specification of the 2d article, no question was put thereon.

The President then pronounced the acquittal of said respondent on the said articles and specifications and each of them.

The court then adjourned *sine die*.

Attest, J. MORRISON, Secretary.

CORYDON, December 17, 1821.

The Senate of the state of Indiana, this day resolved itself into a court of impeachment for the trial of Aaron Vandever, a justice of the peace of Washington county, on articles of impeachment exhibited against him by the House of Representatives of the said state; and assembled in the Senate chamber on this day, at nine o'clock, A. M. and the several members and president thereof, were severally sworn as the Constitution directs.

PRESENT.

The Honorable Ratliff Boone, President of the Senate.

The Hon. Patrick Baird, Joseph Bartholomew, Brooke Bennett, Thomas H. Blake, Marston G. Clark, John Conner, William Cotton, Richard Daniel, William Graham, John Gray, James Gregory, Eliza Harrison, William B. Laughlin, Frederick Shotts and James B. Slaughter, Esqrs. Senators.

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The managers appointed on the part of the House of Representatives, to prosecute the impeachment, and the respondent (upon whom process had been returned executed) appeared at the bar of the Senate; and the several articles and specifications of the impeachment were read to the respondent, who pleaded thereto, "not guilty."

On motion of Mr. Johnston, one of the managers on the part of the House of Representatives, the trial of the impeachment was postponed until Friday next at 9 o'clock. Until which time the court adjourned.

FRIDAY MORNING, Dec. 21, 1821—9 o'clock.

The Court met pursuant to adjournment.

Present as of Monday last.

On motion by Mr. Dewey, one of the managers on the part of the House of Representatives, the trial was further postponed until this afternoon at 2 o'clock. And the court adjourned until that time.

DECEMBER 21st, 1821—2 o'clock.

The Court met pursuant to adjournment.

Present as of this morning.

Leave was given the respondent to appear, by Joseph A. Hopkins, Esq. his counsel, and the cause proceeded to trial. After which the court gave their opinion upon the several articles and specifications separately; and upon the question being put by the president, "Is Aaron Vandever guilty of a high crime or misdemeanor, as in the specification just read?" they were decided as follows, viz:

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On the first Article.

| | | | |
|----------------------------|----|-------------|---|
| 1st specification, Guilty, | 9 | Not Guilty, | 4 |
| 2d. " " " | 9 | " " " | 7 |
| 3d. " " " | 11 | " " " | 4 |
| " " " " | 10 | " " " | 2 |

Second Article.

| | | | |
|----------------------------|---|-------------|----|
| 1st specification, Guilty. | 9 | Not Guilty, | 6 |
| 2d. " " " | 4 | " " " | 11 |

The president then pronounced the said Aaron Vandever guilty of a high crime and misdemeanor in the 1st, 2d, 3d and 4th specifications of the first article, and in the first specification of the second article.

Mr. Hopkins then moved in arrest of judgment—and,

The court adjourned until to-morrow morning, 10 o'clock.

SATURDAY Morning, Dec. 22, 1821—10 o'clock.

The Court met pursuant to adjournment.

On motion by Mr. Johnston, a manager on the part of the House of Representatives, the motion entered on yesterday in arrest of judgment, is ordered to be dismissed. And the court pronounced the following judgment upon the conviction of the respondent heretofore found by the court, by yeas and nays, viz:

On removal from office.

Yeas 14 Nays 1

On disqualification.

Yeas 5 Nays 10

It is therefore considered by the Court now here, that the said Aaron Vandever, Justice as aforesaid, be, and he is hereby removed from his said office as Justice of the Peace

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in and for the township of Posey, in the county of Washington and state of Indiana, as fully to all intents and purposes as if the said Aaron Vandever had never been elected, commissioned or qualified, as a Justice of the Peace.

Ordered, That the Court adjourn until Monday morning next, 10 o'clock.

MONDAY MORNING, Dec. 24, 1821—10 o'clock.

The Court met pursuant to adjournment.

Present as of Saturday last.

The record was read—And,

Ordered, That the Court adjourn sine die.

RATLIFF BOON, Pres't Senate.

Attest,

J. MORRISON, Sec'y Sen.

William Graham

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